



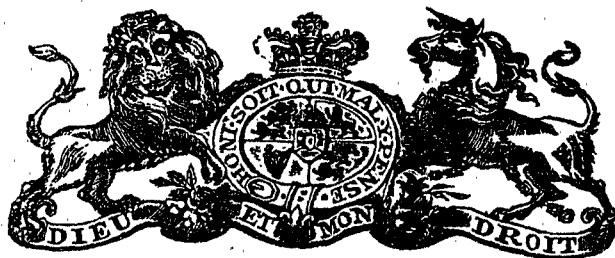
**JOURNAL**  
OF THE  
**LEGISLATIVE COUNCIL**  
OF  
**Prince Edward Island.**

ANNO SEPTIMO GULIELMI IV. REGIS.

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**FOURTH SESSION OF THE FOURTEENTH GENERAL ASSEMBLY.**

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CHARLOTTETOWN:

PRINTED BY JAMES DOUGLAS HASZARD, PRINTER TO THE KING'S MOST  
EXCELLENT MAJESTY.

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1837.



BY HIS HONOR  
**GEORGE WRIGHT,**

**G. WRIGHT,** President and Commander in Chief in and over His Majesty's Island Prince Edward, and its Dependencies, Chancellor and Vice Admiral of the same, &c. &c. &c.

**A PROCLAMATION.**

**WHEREAS** the General Assembly of this Island stands prorogued to Tuesday the 31st day of May inst.: I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday the 14th day of July next—of which all Persons concerned are required to take notice and govern themselves accordingly.

Given under my Hand and the Seal of the said Island, at Charlottetown, this Thirtieth day of May, in the year of our Lord One Thousand eight hundred and thirty-five, and in the Sixth year of His Majesty's Reign.

By His Honor's Command,

J. P. COLLINS, Colonial Secretary.

*GOD SAVE THE KING.*

BY HIS HONOR  
**GEORGE WRIGHT,**

**G. WRIGHT,** President and Commander in Chief in and over His Majesty's Island Prince Edward, and its Dependencies, Chancellor and Vice Admiral of the same, &c. &c. &c.

**A PROCLAMATION.**

**WHEREAS** the General Assembly of this Island stands prorogued to Thursday, the 14th day of July inst.: I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued, until Thursday the 8th day of September next—of which all Persons concerned are required to take notice and govern themselves accordingly.

Given under my Hand and the Seal of the said Island, at Charlottetown, this Thirteenth day of July, in the year of our Lord One thousand eight hundred and thirty-six, and in the Seventh year of His Majesty's Reign.

By His Honor's Command,

J. P. COLLINS, Colonial Secretary.

*GOD SAVE THE KING.*

BY HIS EXCELLENCY  
**COLONEL**

**SIR JOHN HARVEY, K. C. H. & C. B.,**

**J. HARVEY,** Lieutenant Governor and Commander in Chief in and over His Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

**A PROCLAMATION.**

**WHEREAS** the General Assembly of this Island stands prorogued to Thursday the 8th instant: I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued, until Thursday the 20th day of October next—of which all Persons concerned are required to take notice and govern themselves accordingly.

Given under my Hand and the Great Seal of the Island, at Charlottetown, in the said Island, this Fifth day of September, in the year of our Lord One thousand eight hundred and thirty-six, and in the Seventh year of His Majesty's Reign.

By His Excellency's Command,

J. P. COLLINS, Colonial Secretary.

*GOD SAVE THE KING.*

BY HIS EXCELLENCY  
COLONEL

SIR JOHN HARVEY, K. C. H. & C. B.,

J. HARVEY. Lieutenant Governor and Commander in Chief in and over His Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

## A PROCLAMATION.

WHEREAS the General Assembly of this Island stands prorogued to Thursday, the 20th instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued, until Thursday the 1st day of December next—of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my Hand, and the Great Seal of the Island, at Charlottetown, in the said Island, this Fifteenth day of October, in the year of our Lord One thousand eight hundred and thirty-six, and in the Seventh year of His Majesty's Reign.

By His Excellency's Command,

J. P. COLLINS, Colonial Secretary.

GOD SAVE THE KING.

BY HIS EXCELLENCY  
COLONEL

SIR JOHN HARVEY, K. C. H. & C. B.,

J. HARVEY. Lieutenant Governor and Commander in Chief in and over His Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

## A PROCLAMATION.

WHEREAS the General Assembly of this Island stands prorogued to Thursday, the 1st day of December next: I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued, until Friday the 30th day of December next—of which all Persons concerned are required to take notice, and govern themselves accordingly.

Given under my Hand, and the Great Seal of the Island, at Charlottetown, in the said Island, this Twenty-third day of November, in the year of our Lord One thousand eight hundred and thirty-six, and in the Seventh year of His Majesty's Reign.

By His Excellency's Command,

T. H. HAVILAND,

Acting Colonial Secretary.

GOD SAVE THE KING.

BY HIS EXCELLENCY  
COLONEL

SIR JOHN HARVEY, K. C. H. & C. B.,

J. HARVEY. Lieutenant Governor and Commander in Chief in and over His Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

## A PROCLAMATION.

WHEREAS the General Assembly of this Island stands prorogued to Friday the 30th instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued, until Tuesday the Twenty-fourth day of January next, then to meet for the Dispatch of Public Business—of which all Persons concerned are required to take notice, and govern themselves accordingly.

Given under my Hand, and the Great Seal of the Island, at Charlottetown, in the said Island, this Twenty-fourth day of December, in the year of our Lord One thousand eight hundred and thirty-six, and in the Seventh year of His Majesty's Reign.

By His Excellency's Command,

T. H. HAVILAND,

Acting Colonial Secretary.

GOD SAVE THE KING.

**JOURNAL**  
OF THE  
**LEGISLATIVE COUNCIL**  
OF  
**PRINCE EDWARD ISLAND.**

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**TUESDAY, January 24th, 1837.**

In pursuance of the foregoing Proclamations, the Legislative Council met.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright,*

*Mr. Lane,*

*Mr. Haviland,*

HON. *Mr. Brecken,*

*Mr. Smith,*

*Mr. Goodman.*

**H**IS Excellency the Lieutenant Governor having come to the Council Chamber, and being seated, the Gentleman Usher of the Black Rod received His Excellency's commands to desire the immediate attendance of the House of Assembly, in the Council Chamber.

The House of Assembly, with their Speaker, having attended accordingly, His Excellency was pleased to open the Session with the following Speech:—

*Mr. President, and Gentlemen of His Majesty's Council;*

*Mr. Speaker, and Gentlemen of the House of Assembly;*

The King having been graciously pleased to appoint me to be His Majesty's Representative in this Island, I have called you together at as early a period as appeared to me consistent with your own convenience, and with a due regard to other circumstances, in order that you may be afforded the fullest opportunities for the consideration of such Legislative measures as may be suggested to you, or as the state of the Colony may appear to you to demand.

Before we enter together upon the business of the Session, it is my duty, not only to assure you of my earnest desire cordially to co-operate with you in the advancement of every well considered measure which you may recommend to my attention, but also to invite the most frank and unreserved communication with me at all times when it may appear to you that by such communications any measure of public utility is likely to be promoted.

Although we have to lament a partial failure in the crops in some of the sections of the Island, occasioned by unseasonable frosts, it is with much satisfaction that I am enabled to congratulate you and the Colony upon the improved state of the Revenue, in which an increase is exhibited to the amount of at least one-eighth above the receipts of the preceding year.

*Mr. Speaker, and Gentlemen of the House of Assembly;*

The Accounts of the past year will be laid before you; and I do not allow myself to entertain any doubt of your disposition to make due provision for the exigencies of the public service.

*Mr. President, and Gentlemen of His Majesty's Council;*

*Mr. Speaker, and Gentlemen of the House of Assembly;*

I will communicate with you by Message upon such matters as I may from time to time have to bring under your consideration; but there are two or three subjects to which I will now advert, as well on account of their prominent importance, as because I wish to place upon your records some of the impressions which have been produced in my mind during my short acquaintance with this Island.

I would in the first place invite your attention to communications of paramount interest to the whole of His Majesty's Colonies in North America, which have recently been laid before the Legislature of New Brunswick—copies of which I have directed immediately to be laid before you; and it will, I trust, appear to you that a most important extension of the privileges which these Colonies derived from their original Constitutions, has, by these Despatches, been conferred upon them—not only as regards those concessions—not reluctantly made, but freely granted, by our gracious and beneficent Sovereign, with the object of at once promoting the welfare of His Majesty's North American subjects, and thereby strengthening and increasing their attachment to the Parent State, but also by the establishment of a most satisfactory principle of uniformity in the administration of the Colonial Governments. In these boons, although not so directly benefited by all of them as those Colonies in which the Crown possesses large territorial revenues, the people of this Island will, nevertheless, I trust, discern a feeling of so truly paternal a character, as to call forth on their parts the renewed expression of those sentiments of devoted loyalty to the King, and of attachment to the parent state and to constitutional principles, which I am thoroughly convinced are nowhere more generally diffused or more warmly cherished than in this portion of His Majesty's dominions, and while I confess that I should have been glad if circumstances had permitted this Island to take the lead in the public affirmation of these principles; yet I cannot but congratulate you upon the opportunity which this occasion presents, of placing upon your records what I firmly believe from all that I have myself seen and observed, to be the honest unbiassed hereditary sentiments of the great body of the people of this Colony.

In adverting to the state of the Island generally, as presented to my observation during my late excursions, I would remark, that the system upon which the construction of your roads, bridges, wharves, and other improvements connected with the internal communications of the Colony, is conducted, appears to me free from objection; and I cannot here refrain from expressing the surprise and satisfaction with which I witnessed, in the course of my excursions, not only the extent but the excellence of those communications, than which I have seen nothing better in any other section of His Majesty's transatlantic possessions—and when I reflect that all this has been effected by the almost unaided efforts of the resident Colonists, who by their statute labour, and by their contributions to the Colonial revenues as the consumers of imported goods, have been almost the sole agents in the creation of these extensive improvements, I cannot but regard them as highly creditable to the public spirit of the Colony and of its Legislature.

I am happy to be enabled to speak in terms of equal approbation of the Public Buildings of the Colony, especially the County Jails and Court Houses, the Government House and the Central Academy,—but I have remarked, with some degree of surprise, and I might add of alarm, the absence of one public Building which I cannot but regard as indispensable to every Colony—I allude to some solid and well constructed Edifice for the deposit and safe custody of all Public Records. In the Offices in which they are at present placed, it is evidently impossible to adopt adequate precautions against accident or carelessness, by the effect of either of which the Titles of almost all the property of the Island might at once be involved in ruinous and irretrievable confusion and disorder. To this state of insecurity it appears to me that no time should be lost in applying some remedy.

There is yet another Public Building of importance scarcely secondary to any other, the erection and endowment of which must, however, I apprehend, be deferred until the resources of the Colony are more fully developed,—I mean a Provincial Hospital or Infirmary, including within it a Lunatic Asylum.

With reference to Education, which, though last in the order of my notice, is far from being so in my estimation of its importance; after congratulating the Colony upon the possession of an Establishment created by its own liberality, where its youth can receive instruction in the higher branches, I would remark,

that in the present day, a competent degree of Elementary Education is not only the gift which Parents, however humble their circumstances, would most wish to confer upon their Children, but may be regarded as almost a *necessity*, happily imposed upon us by the advanced condition of society in this respect, in the older countries of Europe. The obligation, therefore, appears to attach, with peculiar force, to the Legislature of every young and rising Colony, to grant such aid as may be necessary for placing this inestimable gift within the reach of *all*, upon terms such as their means may enable them to afford—and in inviting you to consider how far some practical improvement may not be introduced into the system upon which your District and Local Schools are at present conducted (whether by connecting them with the Central Academy as a 'Normal School,' for the instruction of the Teachers themselves; whether by raising both the stipends and the standard of qualification of the Teachers, even at the expense of a reduction of their numbers, or by any other well considered plan,) I venture to believe that the invitation will be met by a corresponding feeling on your part, of the great importance of the subject, upon which it only remains for me to assure you, that I will receive, with the sincere desire of being enabled to give effect to your wishes with His Majesty's Government, any suggestions which you may be pleased to make to me relative to the appropriation of the funds raised under a recent Provincial Statute for the general purposes of Education.

In conclusion, I deem it a duty, with equal earnestness and sincerity, to recommend to you—a recommendation which, I trust, may be received in the spirit in which it is offered—the unceasing cultivation of that harmony and unanimity by which your proceedings appear to have been governed during the last Session, and the absence of which, wherever it has unfortunately occurred, has invariably proved most detrimental to the public interests.

The Speech being ended, His Excellency was pleased to retire; and the House of Assembly having withdrawn, the President reported His Excellency's Speech, which being read by the Clerk—

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, to return the thanks of this House for his Speech delivered this day.

*Ordered*, That Mr. *Haviland*, Mr. *Brecken* and Mr. *Smith* be a Committee to prepare a Draft, pursuant to the above Resolution.

*Ordered*, That Mr. *Attorney General*, Mr. *Brecken* and Mr. *Goodman* be a Committee to revise the Journals of this House each day.

On motion, *Ordered*, that Mr. *Haviland* and Mr. *Smith* be a Committee to examine into and report upon such Laws as are near expiring.

On motion, *Ordered*, That the Rev. Louis Charles Jenkins be requested to attend this House to-morrow, at One o'clock, and each succeeding day during the Session, for the purpose of reading Prayers.

His Excellency the Lieutenant Governor requiring the occasional personal attendance of the Hon. Mr. *Haviland*, the Acting Colonial Secretary and Clerk of the Council, Mr. Charles Desbrisay was appointed to act as Clerk during the present Session; and having taken the Oath of Allegiance, and also the Oath of Office, took his seat accordingly.

Mr. *Smith* informed the House, that Mr. *Attorney General* had obtained leave from His Excellency the Lieutenant Governor to absent himself for some days.

A Message from His Excellency the Lieutenant Governor, by the Hon. Mr. *Haviland*, Acting Colonial Secretary.

J. HARVEY, Lieut. Governor.

The Lieutenant Governor lays before the Legislative Council copies of two Despatches, and an Extract from a third Despatch, which he has received from the Right Honorable Lord Glenelg, His Majesty's

Principal Secretary of State for the Colonies, and to which reference is made in his Speech delivered this day.

Government House, January 24, 1837.

No. 84.

“ DOWNING STREET, 31st August, 1836.

“ Sir,

“ I have to acknowledge the receipt of your Despatch of the 16th March last, No. 19, transmitting a copy of an Address from the House of Assembly of New Brunswick to His Majesty, on various subjects connected with the administration of public affairs in that Province. I have since received from Messrs. Crane and Wilmot, the Gentlemen deputed by the House of Assembly to represent them in this Country, the original Address of the Assembly, and I have also been in communication with those gentlemen, as well on the matters to which the Address adverts, as on others connected with the Colony. I inclose for your information, copies of the correspondence which has passed with them.

“ I have had the honor of laying at the foot of the Throne, the Address of the House of Assembly; and I am commanded to express His Majesty's satisfaction at the spirit and temper in which the House have framed this record of their sentiments on subjects of great constitutional interest and importance.

“ The Assembly express their approbation of the instructions issued by His Majesty's commands to Sir Francis Head, and to the Canada Commissioners, and state that it would afford them entire satisfaction, if the principles which they involve were carried into operation in New-Brunswick.

“ It is with great pleasure that I am enabled to give to the Assembly the satisfaction which they desire. The principles involved in those instructions are not of limited application. They form the basis of the policy which, in His Majesty's judgment, it is the wisdom of this country to pursue in reference not only to the Canadas, but also to all the other States of British North America.

“ I proceed to bring this general declaration to a practical test in the answers which I am commanded to return to the Address.

“ 1. The first subject to which the Assembly advert is the management of the Crown Estates. Their representation is in substance, that the powers at present confided to the Commissioner of Crown Lands are excessive, and that the system which that Officer in the exercise of his discretion has followed, has tended to retard the settlement and prosperity of the Province. But, in deference to the judgment already expressed by His Majesty on this subject, the Assembly withdraw on the present occasion their claim for the entire controul and management of the Crown Lands, and suggest that such controul and management should, in future, be confided to the Administrator of the Provincial Government and the Executive Council.

“ The memorandum inclosed in the joint letter of Messrs. Crane and Wilmot, dated the 27th instant, will explain to you the representations which those Gentlemen have added on this part of the question.

“ From my Despatch of the 31st March last, you will have seen that the management of the Crown Lands in New Brunswick has lately engaged much of my attention. Without stopping to inquire whether that Despatch may not in some degree have anticipated the objections urged by the House of Assembly, I am at once to convey to you His Majesty's decision on the proposed measures of amelioration.

“ His Majesty is pleased to acquiesce in the suggestion that the management of the Crown Lands should for the future be confided to the Administrator for the time being, aided by His Executive Council. In pursuance of this decision, it will be your duty hereafter, in all questions relating to the disposal of Lands or Timber, belonging to the Crown, to submit the subject for the consideration of the Executive Council, and to proceed only in conformity with the opinion of that Council, or of a majority of its members. To the Commissioner of Crown Lands, however, will still belong the duty of carrying into effect such measures as shall have been thus decided on.

“ His Majesty at the same time readily admits the right of the Legislature of New Brunswick to pass such Laws as may seem to them expedient for the guidance of the Executive Government in this branch of their duties. His Majesty will be at all times prepared to receive and to consider with attention any suggestions or advice respecting the policy and system of management of the Crown Lands which may be offered to the Crown by the Council and Assembly of New Brunswick, whether by Address, or in the form of Le-



gislative enactments. But as this is a matter in which the prerogative of the Crown is immediately concerned, and as it would obviously be inconvenient that any uncertainty should be introduced into the regulations for the disposal of Crown Lands, it will be indispensable that any Act to be passed for such purpose should contain a clause suspending its operation until his Majesty's pleasure respecting it shall have been declared.

"2. The Assembly complain that they have not been able to obtain detailed accounts of the receipt and expenditure of the Casual and Territorial Revenue, and have thus been prevented from making those suggestions respecting the management of that Fund which, by Lord Ripon's Despatch of the 2d February, 1833, they were invited to offer.

"It would appear by the observation annexed by you to the Address, that you dissent, in some degree, from the correctness of this statement. I am not, however, called on this occasion to examine into what is past. With respect to the future, I have to convey to you his Majesty's commands, that the most prompt attention should be paid to any Addresses which may be presented to you by the House of Assembly, for information on subjects connected with the receipt and expenditure of the Casual and Territorial Revenue. His Majesty has no desire to withhold from the Representatives of the people of New Brunswick any information on such points, which they may consider necessary for their guidance; but as some misapprehension appears to have hitherto existed on this subject, I must direct that in future there be annually laid on the table of the House of Assembly, within fourteen days from the commencement of their Session, a detailed account of the receipts and expenditure of the Casual and Territorial Revenue of the Province for the year last past. This return must be prepared with the utmost clearness and precision; and it might perhaps be possible for you to arrange beforehand with the Assembly, the form in which it could be most advantageously drawn up. It is scarcely possible to contemplate a case in which it might be necessary to refuse the call of the Assembly for any information on this subject, but should such a case occur, you will not fail immediately to report the circumstance to me.

"3. The Assembly next allude to the composition of the Executive Council.

"They recommend that the Members of the Council should be materially increased; and His Majesty will take this suggestion into consideration, although he is not yet prepared to declare whether it can be carried into effect, still less what should be the extent of the proposed increase.

"The Assembly further express their cordial concurrence in the views of Mr. Spring Rice, relative to the summoning to that Board of some Members of the popular branch of the Legislature.

"On this topic the Assembly have expressed themselves with a just delicacy; declaring their approbation of Mr. Spring Rice's Despatch, they yet disclaim any wish to offer an opinion to the King, as to the persons whom His Majesty may be pleased to call to fill seats in the Executive Council. It is obvious indeed that a peremptory rule on the subject would be inadmissible. At present it is open to the Crown, at its own discretion, to select Members for the Executive Council from all descriptions of His Majesty's subjects. The prerogative is unfettered, and it is, in the opinion of His Majesty's advisers, most advantageous for all parties that so it should remain. With respect to the manner in which it shall in this branch of it be exercised, His Majesty can give only the general assurance, which he directs me to convey to the House of Assembly, that his selection of persons to sit in the Executive Council will be guided solely by a reference to the permanent interests of the Province, and to the qualifications of those whose names may be submitted to him for that distinction.

"4. The composition of the Legislative Council is the next subject alluded to by the House, admitting that no great public evil has yet arisen from this source, they nevertheless express their apprehension, that according to the principles laid down in the instructions to the Canada Commissioners, those Members of the Council who hold office under the Crown could not be expected to exercise an unbiassed judgment on the questions which might come before them.

"His Majesty's Ministers entirely agree in the importance of securing the independence of the Legislative Council. They are not indeed prepared, especially after the candid admission of the Assembly, as to the working of the present system, to recommend to His Majesty the supersession of any of the present Members of the Council, nor do they consider office as of itself a disqualification for a seat in the Council, but they freely admit that the introduction into it of too large a number of persons holding places of emolument under the Executive Government, would tend to detract from its weight as an independent branch of the Colonial Legislature. Lord Ripon, in a Despatch dated the 1st May, 1832, observes, that the Legislative Council should principally consist of Gentlemen independent of and unconnected with the Executive Government,

and selected from the principal inhabitants of the Province, and those having the greatest stake in its welfare.' To this principle, although it would seem that accidental circumstances have hitherto prevented it from been carried into full effect, His Majesty's Government continue to adhere. Whenever, therefore, it may become your duty to recommend to me, for His Majesty's approbation, the name of any gentleman to be appointed a Member of the Legislative Council, you will bear in mind the rule laid down by Lord Ripon in the words I have just quoted.

"It may be proper to advert, in this place, to the impression which has been produced on the minds of the Assembly by those clauses of the Instructions to Sir Francis Head, which (to use their own language) "might be supposed to affect the independence of Members of the Legislature holding any inferior office or appointment under the Government." On this subject it is enough to point out to the observation of the Assembly, that the clauses in question, in so far as they concern persons holding seats in either house, have reference expressly to 'Members of the Local Government,' not to inferior officers, but to those who form an actual portion of the Executive Government, and whose cordial sympathy and co-operation are absolutely indispensable to the existence of any system of administration. With regard to such individuals, I trust the Assembly will admit the justice of the observation which concludes the consideration of this topic in the Instructions to Sir Francis Head. Unless this course be pursued, it would be impossible to rescue the head of the Government from the imputation of insincerity, or to conduct the administration of public affairs with the necessary firmness and decision.

"5. I now come to the application of the Assembly for the surrender to them of all of the Revenues at the disposal of the Crown in the Province, including the payments of the Nova Scotia and New Brunswick Land Company, in return for a Civil List to be granted for a period either of ten years or permanently.

"After a due consideration of the circumstances of the case, I have to inform you, that subject to two qualifications to be subsequently noticed, His Majesty has been graciously pleased to consent to this application of the Assembly. The two qualifications to which I refer are the following:

"*First.* The appropriation of the House of Assembly is to be exercised not over the gross but over the net amount of the Revenue, to be placed under their controul. The proper and moderate charges incident to the collection and management of that Revenue will continue to be defrayed as at present; but an account of those charges will be included in the statements respecting the Casual and Territorial Revenue which, in a former part of this Despatch, I have directed to be annually submitted to the House of Assembly. I need scarcely add, that His Majesty would be at all times prepared to devote the most attentive consideration to every suggestion from either Branch of the Legislature with respect to the amount of the charges of collection.

"*Secondly.* The second qualification has for its object to preclude questions which might otherwise arise as to the manner in which the right of appropriation is to be exercised by the House of Assembly. His Majesty proposes that the Law and Customs of Parliament, and more especially the established usages of the House of Commons, with regard to the appropriation of the surplus of the Consolidated Fund of Great Britain and Ireland, shall be assumed by the Legislature of New Brunswick, and more especially by the House of General Assembly, as affording the rule for their guidance in the appropriation of the Revenues of that Province. Some exceptions may unavoidably arise out of peculiar local circumstances, forbidding a perfect coincidence in the two systems, which, however, subject to those exceptions, would be precisely similar.

"In regard to the amount of the Civil List to be granted by the House of Assembly, I am to inform you that His Majesty will be willing to accept the sum of £14,000 sterling, that being the sum originally demanded by Lord Stanley. In determining this part of the question, I have not overlooked the fact that, in Lord Stanley's Despatch of 30th September, 1833, it was not distinctly stated whether the sum which he named as the amount of the Civil List was calculated in sterling or in current money. But any doubts which might otherwise exist on this point must be at once decided by the Schedule attached to his Despatch, wherein are recited the services amounting in all to £14,003 sterling to which he proposed to appropriate the Civil List.

"If, therefore, a Bill should be passed by the Provincial Parliament and presented to you, having for its object the securing to His Majesty of a Civil List, amounting to £14,000 sterling, per annum, either for the space of ten years, or permanently, you will reserve it for the signification of His Majesty's pleasure; and you will not, in the meantime, consider yourself at liberty to apply any portion of the Casual and Territorial Revenue to services which have not already received the express sanction of His Majesty's Government.

“The following are the services to which, in the event of its being granted, it is intended, in the first instance, to apply this sum, viz:

Salary of the Lieutenant Governor,	£3,500
Chief Justice,	950
3 Puisne Judges,	1,950
Attorney General,	550
Solicitor General,	200
Colonial Secretary,	1,430
Private Secretary,	200
Com. of Crown Lands,	1,750
Establishment of do.	909
Salary of Auditor,	300
Receiver General,	300
Scotch Minister,	50
Emigration Agent, St. John,	100
Annuity to late Surveyor General,	150
College,	1,000
Indians,	54
	£13,393

“After defraying these charges, there will still remain a surplus of £607 sterling, applicable to any incidental expenses, for which no provision shall have been previously made. You will, however, of course, understand, that in thus pointing out the offices of which the salaries are to be paid out of this fund, His Majesty does not preclude himself from the revision of those salaries at a future date. In the case of some of them, indeed, it has been already announced to you by my predecessors, that reductions will be made on the occurrence of vacancies, and it is probable, therefore, that the surplus may hereafter exceed the sum which I have stated. In anticipation of that event, His Majesty directs me to announce, that whatever the amount of that surplus may hereafter be, it will be applied exclusively to objects connected with the Province, and with a view solely to public interests, and an account of it will be annually laid before the House of Assembly.

“It has been suggested, that as the Quit Rents were included among the Revenues, which, according to Lord Stanley’s proposal, would have been given up to the Assembly, so, among the Revenues to be surrendered under the arrangement now under consideration, should be included the sum granted in the Session of 1835, in commutation of the Quit Rents. To this suggestion His Majesty sees no reason to object, and he would, therefore, not be disposed to withhold his Assent from any Act which might be passed by the Provincial Legislature, for the purpose of repealing the Quit Rent Commutation Act of 1835.

“In closing this communication, I am commanded to express the satisfaction with which His Majesty has felt himself enabled to decide on the various particulars to which it refers. This gracious attention, on the part of His Majesty to the wishes of His faithful subjects in New Brunswick, will, the King has no doubt, be received by them as a fresh proof of the interest which he takes in their welfare, and of His solicitude to promote the developement of the great and manifold resources of that portion of the British Empire.

“I have the honor to be, &c.

(Signed)

“GLENELG.

“Major General Sir A. Campbell, Bart. G. C. B. &c. &c. &c.”

No. 85.

[copy.]

“DOWNING STREET, 5th September, 1836.”

“SIR,

“In my Despatch of the 31st ultimo, I have communicated to you the answer which His Majesty has commanded me to return to the Address from the House of Assembly of New Brunswick of the 14th of March last. I have at the same time inclosed for your information, copies of the correspondence which had passed on the subject of that Address, and on other matters of a public nature, between this department and Messrs.

Crane and Wilmot, the Gentlemen deputed by the House of Assembly to represent them in this country. Having communicated to Messrs. Crane and Wilmot the draft of my Despatch of the 31st ult. I have received from them the inclosed observations upon it. I have also had with them personal communications on the subject. I now proceed to inform you in what respects His Majesty has in consequence been pleased to direct that the instructions contained in my Despatch of the 31st ultimo shall be altered or modified.

“ 1. The first alteration proposed by Messrs. Crane and Wilmot is, that the Executive Council should, in compliance with the wishes of the Assembly, be at once enlarged, without waiting the further deliberation contemplated in my Despatch of the 31st ultimo. On this point His Majesty, after a due consideration of the arguments urged by the House of Assembly, and of the representations of Messrs. Crane and Wilmot, is prepared to adopt the necessary steps for meeting the wishes of the Assembly. It is unnecessary on the present occasion to offer any pledge as to the precise number of which the Executive Council should hereafter consist, nor indeed could any invariable rule be prescribed on that subject without inconvenience. But you will immediately report to me the names of several Gentlemen whom you may think most eligible for seats in His Majesty's Executive Council. In making your selection, you will not confine yourself to any single class or description of persons, but will endeavour to ensure the presence in the Council of Gentlemen representing all the various interests which exist in the Province, and possessing at the same time the confidence of the people at large. It may not be possible always to find such persons in the neighbourhood of the Capital, but I am assured that there are gentlemen of fortune in the Province who, if appointed to the Council, would, from public motives, attend to the duty.

“ 2. The instructions respecting the regulation of the Land Department are next alluded to, and much stress is laid on the expediency of permitting you to give your assent at once to any Acts which may be passed by the Legislature for that purpose, instead of reserving them for the signification of His Majesty's pleasure. I must however remark, that whatever advantages might accrue from this course, they could scarcely compensate for the inconvenience which might result from a disallowance, should that be necessary, of such Acts after they have gone into operation. It would be superfluous to enlarge on the hardships which might be produced by the annulling of an Act under which property had been already acquired or devised, or to point out how much the disappointment created by such a proceeding must exceed that which would result from a temporary delay in the confirmation of the Act. There is, however, an alternative which, while it would guard effectually against the inconvenience just stated, would at the same time, I have reason to think, be satisfactory to the Assembly, and this is, that no Act for the regulation of the Land Department shall come into operation till a given period after its passing. If therefore any Act of that nature presented to you hereafter, shall contain a clause providing that it shall not come into operation till the expiration of at least four months from its date, you will be at liberty, should you see no objection to the Act on other grounds, to give your assent to it. In such a case I need hardly state that it will be your duty immediately to transmit the Act to me in order that it may be brought under the consideration of His Majesty in Council.

“ 3. With respect to the surrender of the Casual and Territorial Revenue, I have to observe, that in proposing that the net proceeds only should be paid over to the Provincial Treasury, His Majesty's Government made no claim which is not in strict accordance with the law and practice of this country. The Hereditary Revenues of the Crown have been placed at the disposal of Parliament—Parliament has in turn confided to the Executive Government the powers and the duty of determining in the first instance whatever relates to the expence of management and collection, subject to the obligation of rendering an annual account of that expence. It is obvious that if the Legislature should assume the right of predetermining the various items of that expenditure, they would be virtually invested with the entire management of the Territory itself, and must exercise a power which has never been placed in this country in any other hands than those of the Executive Government. To depart from the established usage in this respect would be to subvert the existing balance of the Constitution, and to place powers of the greatest importance in hands not subject to any effective responsibility. I propose, therefore, that, as in Great Britain the cession of the Hereditary Revenue was accompanied by an Enactment which enabled the Lords of the Treasury to fix in the first instance all the charges of collection and management, so in New Brunswick, the cession of the corresponding Revenue to the appropriation of the General Assembly, should be accompanied by an act authorizing the Governor of the Province, with the advice of his Executive Council, to expend out of the gross income whatever sums they may find necessary for the management and collection of that Revenue. And as in Great

Britain the House of Commons, by exercising its judgment on the accounts of the expenditure which are always laid before it, has in effect a sufficient and constitutional control over that expenditure, so in New Brunswick the same control over the Revenues in question, would, by the same means, be vested in the House of Assembly. The assurance which you have been directed to convey to the House of Assembly, that accounts of the Receipt and Expenditure of that Revenue shall be annually laid before them, and that His Majesty will be ever ready to devote the most attentive consideration to any suggestions from either branch of the Legislature in regard to the expense of collection, appear to afford a guarantee against any unnecessary disbursements for that service; but there would be no objection to confirm that assurance by a positive enactment.

4. Messrs. Crane and Wilmot next advert to the amount of the Civil List, and suggest that the sum of £15,000 Currency should be substituted for that of £14,000 Sterling.—Although it has not been in my power to advise His Majesty to accede altogether to this suggestion, I am yet of opinion, after adverting to the arguments urged by those Gentlemen, both in their written communications and in conversation, that some modification of the proposition contained in my Despatch of the 31st ultimo, may be advantageously made. Among the items therein specified as permanent charges in the Civil List, is the sum of £909 for the establishment of the Commissioner of Crown Lands. This item was inserted in conformity with the scheme contemplated by Lord Stanley in 1833; but there appears to be no sufficient reason why the expenses of the Indoor Establishment of the Commissioner of Crown Lands should not be defrayed in the same manner as all other expenses incurred for the management of the Crown Estate, and the collection of the Revenue arising from it. This charge therefore being deducted from the Civil List, His Majesty will be ready to accept the sum of £14,500 Currency in exchange for the casual and Territorial Revenue, instead of the sum of £14,000 Sterling demanded in my Despatch of the 31st ultimo. I cannot doubt that the Assembly, considering the large and growing Revenue to be given up to their controul in return for this sum, will cheerfully agree to the terms offered to them by His Majesty's Government.

The sum of £14,500 Currency would, I presume, be equal to £13,050 Sterling, and there would therefore remain an immediate surplus of £566 Sterling, which will of course be hereafter increased by reductions in the amount of the Salaries at present borne on the Civil List. Among the objects to which it is my purpose to devote a portion of this surplus, is the institution of an efficient office of Audit within the Province for all the Revenues raised and expended in it. I am of course aware that at present it is the custom of the House of Assembly to appoint from time to time Committees of their body to whom are referred such Financial returns as are laid on their Table, and who in fact exercise the power of auditing the accounts specified in such Returns. It is far from my intention to undervalue the labours of these Committees, or to question the advantage which must accrue to the public service from the rigid supervision by the Representatives of the people, of the Expenditure of the Executive Government. But at the same time Committees of a popular body are but an inadequate substitute for a permanent and responsible officer, whose sole duty it would be to inspect the accounts of Public Departments. The experience and practical skill, the intimate and continuous knowledge of official transactions which are necessarily acquired by such an officer, give him many advantages over any fluctuating body. It is also to be observed, that the appointment of an Auditor immediately responsible to His Majesty is more consistent with the constitution and practice of this Kingdom, than the consigning of the duty of examining the public accounts altogether to the Representatives of the people. The office of Auditor as at present constituted in New Brunswick is, I apprehend, insufficient for the duties which I have here proposed to devolve on it; I have therefore to desire that you will bring the subject under the notice of the Council and of the House of Assembly, and request them respectively to furnish me with a report on it, specifying among other points what should be the amount of remuneration to be conferred on the officer at the head of the proposed Department. On receiving that report, I shall lose no time in communicating with the Lords Commissioners of the Treasury, and in preparing in concert with them the necessary arrangements for the institution and regulation of the office.

It is to be understood that I by no means propose or contemplate that the officer so appointed should supersede the labours of the Committees of the House of Assembly. Those Committees will, if the House think fit, continue their inquiries exactly as they do at present; nor will the Auditor in any degree impede or interfere with their proceedings. Indeed it will be always in the power of the House to obviate any such consequence.

5. The last subject noticed in the inclosed memorandum, is the scale of the Salaries of Public Officers, and it is proposed that the reductions to be made in those Salaries on the occurrence of vacancies, should be distinctly specified in the Despatch to you. It is also stated to be the opinion of the House of Assembly, that no officer in the Province, except the Lieutenant Governor, should receive a larger Salary than the Chief Justice or a Puisne Judge of the Supreme Court. I am fully alive to the importance of the subject thus brought under my notice, but adverting to the rapid changes which are taking place in New Brunswick, and to the length of time which may possibly elapse before an opportunity occurs for revising the offices of which the emoluments are borne on the proposed Civil List, I am of opinion that it would not be convenient at the present time to pledge His Majesty's Government to the specific amount of remuneration which shall hereafter, and perhaps under altered circumstances, be attached to those offices. At the same time I am anxious to institute a course of inquiries calculated to prepare materials for a final and well considered judgment on the subject. With this view, I desire to receive from yourself and from the Legislative Council and the House of Assembly respectively, reports pointing out the amount of emoluments which in your opinion would constitute an adequate remuneration for each of the offices in question. It is of course understood, that during the tenure of the present officers their existing emoluments shall be preserved to them, but whenever vacancies shall occur, His Majesty's Government will consider what reductions should be made in those emoluments, and will devote their serious attention to the statements which I have now invited, in the hope that they may be able at once to effect a considerable saving in the public expenditure without impairing in any degree the efficiency of the respective offices. It must moreover be distinctly intimated to every officer who may hereafter be temporarily appointed to any of the situations of which the salaries are borne on the Civil List, that should such temporary appointment be subsequently confirmed, the emoluments of the office will nevertheless be subject to revision and reduction, and that no claim to compensation for loss of Salary will have been created by the discharge of the duties ad-interim. With respect, however, to the office of Lieutenant Governor, I am to observe, that it has been already determined, on the occurrence of the next vacancy, to reduce the salary attached to it to £3,000 Sterling per annum. Below that sum, it could, I think, scarcely be reduced consistently with the rank and dignity which the Lieutenant Governor is required to maintain as His Majesty's Representative.

I have now gone through all the points mentioned in the inclosed memorandum, but before I conclude this Despatch I must advert to a topic which has been pressed on my attention by Messrs. Crane and Wilmot. It has been stated that by the stipulation that the net proceeds only of the Casual and Territorial Revenue should be ceded to the Assembly, an almost unlimited power of expenditure for purposes connected with the management of the Crown Estate still remains in the hands of the Executive Government. In order to prevent any abuse of this power, it is proposed that an instruction should be given to you, that on the presentation of an Address to you from the Assembly expressing their disapprobation of any expenditure then actually in progress, you should suspend the progress of such Expenditure until the King's Government at Home shall have an opportunity of deciding on the propriety or impropriety of continuing it. To this proposition I have felt myself unable for several reasons to assent, but I have informed Messrs. Crane and Wilmot that on the occurrence of the event which they have contemplated, you would receive with all the weight due to the opinion of the Representatives of the people, any address which might be presented to you by the Assembly, and that you would be instructed to lay that Address before your Executive Council, and to receive their opinions on the subject of it before taking any decisive step. And it would be moreover your duty in such a case immediately to report the circumstances to me, with a full explanation of the grounds on which your ultimate decision shall have proceeded.

Such are the modifications of my Despatch of the 31st ultimo, which, after a full consideration of the subject, His Majesty's Ministers have felt themselves at liberty to recommend to His Majesty. While they regret their inability to proceed to the full extent of the wishes of Messrs. Crane and Wilmot, they are yet persuaded that the liberal spirit in which His Majesty's answer to the Address of the House has been conceived, will sufficiently indicate the anxiety of His Majesty to accede, as far as is compatible with public interests, to their wishes on matters connected with the administration of the Provincial Government. The differences of opinion that may still remain in some particulars between the views of the Assembly and those adopted in this country are perfectly compatible with the existence of a sincere and single desire on both

sides to consult only the permanent well-being of the Province, and cannot, therefore, it is trusted, impede the satisfactory settlement of the questions mooted in the Address of the Assembly of the 14th of last March.

" I have the honor to be, Sir,

" Your most ob'dt humble Servant,

(Signed)

" GLENELG.

" Major General Sir A. Campbell, Bart. K. C. B. &c. &c. &c."

No. 86.

[EXTRACT.]

" DOWNING STREET, 10th September, 1836.

" SIR,

" With reference to my Despatches of the 31st ult., and of the 5th inst. explanatory of the arrangements into which it is proposed to enter with the Legislature of New Brunswick, it has appeared to His Majesty's Government necessary, that measures should be taken for holding a Session of that Legislature with the least possible delay. Considerations applying, not to New Brunswick alone, but to the other British North American Provinces also, require that no time should be lost in giving general publicity to the proposals which you are authorized to make. You will therefore take the necessary measures for convening the General Assembly for the dispatch of business, immediately on your receipt of this Dispatch.

" On the meeting of the Legislature, you will, by a Message, communicate to the Legislative Council and to the Assembly, copies of my Despatches of the 31st of August and of the 5th of September.

" The views explained in these Despatches having been maturely adopted, after a full and careful investigation, it is desirable that they should be fully known, and clearly developed to the Legislative Bodies of New Brunswick, and through them to the Legislatures of the other British North American Provinces.

" I have the honor to be, Sir,

" Your most obedient humble Servant,

(Signed)

" GLENELG.

" Major-General Sir A. Campbell, Bart. K. C. B. &c. &c. &c."

Which being read by the Clerk,

*Ordered*, That the said Documents do lie on the Table.

The President informed the House, that he had received a communication from the Hon. J. Sewell, Speaker of the Legislative Council of Lower Canada, transmitting a copy of a Bill to establish and regulate the Post Office in that Province, together with a Report, and the Evidence reported by a select Committee of the Legislative Council, and a copy of an Address of the Council to the King on the subject of the Post Office.

*Ordered*, That the same do lie on the Table.

Adjourned until One o'clock to-morrow.

**WEDNESDAY, January 25th, 1837.**

The Council met, pursuant to adjournment.

**PRESENT:**

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright,*  
*Mr. Lane,*  
*Mr. Haviland,*

HON. *Mr. Brecken,*  
*Mr. Smith,*  
*Mr. Goodman.*

**PRAYERS.**

**READ** the proceedings of yesterday.

A Message from the House of Assembly, by Mr. Pope.

In the House of Assembly,  
Tuesday, January 24th, 1837.

Resolved, That a Committee of three Members be appointed to keep up a good correspondence between the two Houses of the Legislature, and to report their proceedings from time to time, with power to send for persons, papers and records.

Ordered, That Mr. Pope, Mr. Green and Mr. Thornton do compose the said Committee.

Ordered, That the said Resolution be communicated by Message to the Legislative Council.

WILLIAM CULLEN, Clerk.

Resolved, That a Committee be appointed to join the Committee of the House of Assembly, to keep up a good correspondence between the two Houses of the Legislature, and to report their proceedings from time to time, with power to send for persons, papers and records.

Ordered, That Mr. Lane and Mr. Attorney General do compose the said Committee.

Ordered, That a Message be sent down to the House of Assembly, acquainting them therewith.

Adjourned until Twelve o'clock to-morrow.



THURSDAY, January 26th, 1837.

The Council met pursuant to adjournment.

PRESENT.

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

*Mr. Haviland*, from the Committee appointed to prepare an Address in answer to His Excellency's Speech, reported, that they had prepared a draft of the same, which was read.

On motion, the House resolved itself into a Committee of the whole House, to take the said Address into consideration.

*Mr. Haviland* took the Chair,

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the Address, and had made some amendments thereto.

*Ordered*, That the Report of the Committee be agreed to, and that the Address be engrossed; and the same was read, and is as follows, viz:

*To His Excellency Colonel Sir JOHN HARVEY, K. C. H. & C. B. Lieutenant Governor and Commander in Chief in and over His Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.*

*May it please your Excellency;*

We His Majesty's dutiful and loyal subjects, the Members of the Legislative Council of Prince Edward Island, in Colonial Parliament convened, beg to offer your Excellency our warmest thanks for your Speech delivered at the opening of the present Session.

We cannot fail to view with sentiments of the deepest gratitude the lively interest which our most gracious Sovereign has continued to entertain for the welfare of this Colony; and upon no occasion have we been afforded a more decided opportunity of giving full expression to those sentiments, than in the selection of your Excellency to be His Majesty's Representative in this Government.

We thankfully appreciate the motives which prompted your Excellency to call us together at this early season of the year, when our public duties will most conveniently accord with our private avocations.

We have the fullest confidence that your Excellency will afford your ready co-operation in all measures which have for their object the benefit of the Colony; and we shall not hesitate to avail ourselves of your invitation to communicate most frankly and unreservedly with your Excellency whenever we may consider that by such communications, objects of public usefulness may be promoted.

There is much cause to lament that the early frosts prevented the crops in particular sections of the Colony from arriving at maturity. We are gratified to learn from your Excellency the material increase which the Revenue of the past year exhibits over that of the year preceding, as it affords us the most certain and accurate criterion of a comparative development of the resources of the Colony, and of its consequent advancement.

The most prompt and respectful attention shall at all times be afforded to such matters as your Excellency may deem necessary to communicate to us by Message.

We were not unacquainted with the important nature of the Despatches which by direction of His Majesty's Secretary of State for the Colonies have recently been laid before the Legislature of New Brunswick, and to which your Excellency invites our attention; and although these communications are more directly applicable to the Province to which they are addressed, they nevertheless embrace questions of paramount interest to the whole of His Majesty's North American Colonies, as the principles which they involve are not of limited application, but are intended to form the basis of the policy which in His Majesty's judgment it is the wisdom of the parent state to pursue, in reference not only to New Brunswick, but also to the other Colonies of British North America. By this most gratifying and satisfactory system of uniformity in the administration of the Colonial Governments, a principle has happily been established which cannot fail greatly to facilitate the growing prosperity of these Colonies. As regards the concession which has been made to the local Legislatures, by granting to them the free and uncontrolled exercise of their authority over all Revenues hitherto appertaining to the Crown, a principle of self government has been acknowledged far beyond the privileges which these Colonies derive from their original constitution; and the spirit of liberality in which our most gracious and beneficent Sovereign has conceded this boon, proves in an especial manner his anxious desire to afford to his North American subjects the fullest participation in the advantages and privileges which our envied and happy constitution confers upon His Majesty's subjects residing in the parent state.

In these important concessions, we cannot fail to discern a feeling so truly paternal on the part of our most gracious Sovereign, as to impose upon us the pleasing duty of reiterating those sentiments of devoted loyalty to His Royal Person, and of attachment to the parent state, and to constitutional principles, which are in no part of His Majesty's Dominions more generally diffused or more warmly cherished than by the great body of the people of this Colony; and we are firmly convinced that a strict adherence to these principles has rendered the parent state the envy and admiration of the world, and placed her North American Colonies in their present happy and prosperous condition.

The early opportunity which your Excellency embraced of making yourself acquainted with the general state of the Colony, by personal observation, evinced that anxious desire to carry into effect those objects of public advantage and improvement which have subsequently so entirely engrossed the attention of your Excellency; and we are much gratified to learn, that your Excellency's practical experience has enabled you to speak in terms of approbation as regards our internal communications, constructed as they truly have been by the almost unaided efforts of the resident Colonists.

We fully agree with your Excellency in the indispensable necessity of a solid and substantial edifice for the deposit and safe custody of our Public Records, as well as in the expediency of a Provincial Hospital or Infirmary, and we can only attribute the want of these Buildings to the limited resources of the Colony.

The subject of Education to which your Excellency so fully refers, has ever been considered of the highest importance in all civilized States, and the obligation to afford the means required for the general instruction of youth, peculiarly attaches itself to the Legislatures of all rising Colonies; and although exertions have been made by the Legislature of this Colony, for placing this inestimable gift within the reach of all, we are free to admit, that the system which has hitherto been pursued in this respect is capable of much improvement, and your Excellency's suggestions shall receive that respectful and deliberate attention which their importance so justly entitles them to; and we have every confidence that your Excellency's influence with His Majesty's Government will enable you to obtain for the Colony an advantageous disposition of those funds which have been placed at the disposal of His Majesty by the Provincial Legislature.

We observe with satisfaction the disposition in which your Excellency is pleased to recommend a continued cultivation of harmony and unanimity between the two branches, and we receive the recommendation in the spirit in which it is offered, convinced that objects of public utility can only be attained by the existence of a good understanding with each other.

On motion, Ordered, That the said Address be presented to His Excellency by the whole House.

On motion, it was Ordered, that a Committee, consisting of Mr. *Haviland*, Mr. *Brecken*, and Mr. *Smith*, do wait upon His Excellency, to know at what time His Excellency will be pleased to receive the said Address.

Mr. *Haviland*, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, reported, that they had waited on His Excellency accordingly, and that His Excellency had appointed Two o'clock to-morrow to receive the same.

Adjourned until One o'clock to-morrow.

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## FRIDAY, January 27th, 1837.

The Council met, pursuant to adjournment.

### PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. Mr. *Wright*,

Mr. *Lane*,

Mr. *Haviland*,

HON. Mr. *Brecken*,

Mr. *Smith*,

Mr. *Goodman*.

### PRAYERS.

**READ** the proceedings of yesterday.

The Council adjourned, to wait upon His Excellency with their Address; and having returned, the President reported, that the House had presented their Address, and that His Excellency had been pleased to return the following answer, viz:

*Mr. President, and Gentlemen of the Legislative Council;*

If any additional motives beyond a sense of public duty had been required to stimulate my endeavours to promote the interests of this Colony, they have been abundantly supplied in the assurances which I have so generally received of confidence and good will; for those which you have now been pleased to express, I beg you to accept my warmest acknowledgments.

Adjourned until One o'clock to-morrow.

## SATURDAY, January 28th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

*Mr. Brecken* moved for leave to present a Petition from James Peake, and five others, Directors of the Joint Stock Steam Mill Company, praying that an Act may pass to incorporate the said Company.

Leave being granted, the said Petition was received and read.

*Ordered*, That the same do lie on the Table.

Adjourned until Twelve o'clock on Monday next.

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## MONDAY, January 30th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,

HON. *Mr. Brecken*,

*Mr. Haviland*,

*Mr. Smith*.

*Mr. Attorney General*.

PRAYERS.

**R**EAD the proceedings of Saturday.

Adjourned until Twelve o'clock to-morrow.

**TUESDAY, January 31st, 1837.**

The Council met pursuant to adjournment.

## PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Attorney General*,

*Mr. Goodman*.

## PRAYERS.

Adjourned until Twelve o'clock to-morrow.

**WEDNESDAY, February 1st, 1837.**

The Council met, pursuant to adjournment.

## PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*.

## PRAYERS.

**M**R. *Smith* from the Committee appointed to examine into, and report upon the Expiring Laws, reported as follows, viz:

The Act, 1 Will. 4, cap. 1, intituled 'An Act to repeal an Act made and passed in the Tenth year of the Reign of the late King George the Fourth, intituled *An Act for the appointment of Limits and Rules for the Jail of Charlottetown*, and to make other provisions in lieu thereof,' will expire the last day of the present Session.

The Act, 3 Will. 4, cap. 18, intituled 'An Act for the preservation and improvement of the Herring and Alewives' Fisheries of this Island,' will expire the last day of the present Session.

The Act, 3 Will. 4, cap. 21, intituled 'An Act to regulate the weight and quality of Bread within the Town and Royalty of Charlottetown,' will expire the last day of the present Session.

The Act, 5 Will. 4, cap. 7, intituled 'An Act to make more effectual provision for preventing the spreading of Infectious Distempers within this Island,' will expire the last day of the present Session.

The Act, 5 Will. 4, cap. 14, intituled 'An Act to provide for the payment of Interest on Warrants which are not paid at the Treasury on demand,' will expire the last day of the present Session.

The Act of the second Session of 5 Will. 4, cap. 1, intituled 'An Act to continue Four several Acts therein mentioned,' will expire the last day of the present Session.

The Act, 6 Will. 4, cap. 1, intituled 'An Act to continue for one Year, and to amend an Act of the Fifth year of His present Majesty, for the increase of the Revenue in this Island,' will expire on the 7th day of May next.

*Ordered*, That the said Report do lie on the Table.

Mr. *Haviland* laid before the House a communication from Thomas Owen, Esq. one of the Commissioners appointed on the part of this Island, for the purpose of determining and deciding jointly with the Commissioners appointed by the Provinces of Lower Canada, Nova Scotia and New Brunswick, the fittest sites on the Islands of St. Paul and Scatari, for the erection of Light Houses, together with a copy of the Award and Judgment of the said Commissioners.

*Ordered*, That the said Documents do lie on the Table.

[For the Award above referred to, see Appendix (A.) at the end of the Journal.]

Mr. *Attorney General* moved for leave to bring in a Bill for granting Patents for useful inventions.

Leave being granted, the said Bill was brought in and read a first time.

Mr. *Attorney General* moved for leave to bring in a Bill relating to the Titles to Lands acquired under Deed from Sheriffs or Coroners—Leave being granted, the said Bill was brought in and read a first time.

Adjourned until Twelve o'clock to-morrow.

## THURSDAY, February 2d, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

*Mr. Lane*,

*Mr. Haviland*,

*Mr. Attorney General*,

HON. *Mr. Brecken*,

*Mr. Smith*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

Read a second time, the Bill intituled, 'An Act for establishing the Standard Weight of Grain and Pulse, and for the appointment of Officers for measuring and weighing the same.'

A Message from the House of Assembly, by Mr. Palmer, with a Bill intituled "An Act to continue an Act for regulating the weight and quality of Bread within the Town and Royalty of Charlottetown"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

Mr. *Wright* obtained leave to absent himself until Monday next.

Adjourned until Twelve o'clock to-morrow.

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## FRIDAY, February 3d, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,

HON. *Mr. Brecken*,

*Mr. Haviland*,

*Mr. Smith*,

*Mr. Attorney General*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

Adjourned until Twelve o'clock to-morrow.

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## SATURDAY, February 4th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,

HON. *Mr. Attorney General*,

*Mr. Haviland*,

*Mr. Smith*.

PRAYERS.

**M**R. *Attorney General* informed the House, that indisposition prevents *Mr. Brecken*, from attending in his place.

Ordered, That *Mr. Brecken's* excuse be received.

*Mr. Attorney General* informed the House, that indisposition prevents *Mr. Goodman* from attending in his place.

Ordered, That *Mr. Goodman's* excuse be received.

Adjourned until Monday next, at Twelve o'clock.

## MONDAY, February 6th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,

HON. *Mr. Brecken*,

*Mr. Haviland*,

*Mr. Smith*.

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of Saturday.

Read a second time, the Bill for granting Patents for useful Inventions.

*Ordered*, That the said Bill be committed to a Committee of the whole House on Wednesday next.

Read a second time, the Bill relating to the Titles to Lands acquired under Deed from Sheriffs or Coroners.

*Ordered*, That the said Bill be committed to a Committee of the whole House on Wednesday next.

Three Messages from His Excellency the Lieutenant Governor, by the Hon. Mr. Haviland, Acting Colonial Secretary.

[FIRST MESSAGE.]

J. HARVEY, Lieutenant Governor.

The Lieutenant Governor lays before the Legislative Council, the copy of a Despatch from the Right Honorable Lord Glenelg, His Majesty's Principal Secretary of State for the Colonial Department, transmitting the copy of a Report of the Lords of the Committee of Council for Trade, dated 9th April, 1836, in reference to an Act passed by the Legislature of this Island on the 6th May, 1835, intituled *An Act for the increase of the Revenue of this Island*.

Government House, 4th February, 1837.

No. 28.

[COPY.]

Downing Street, 18th April, 1836.

SIR,—The Act passed by the Legislature of Prince Edward Island, on the 6th May, 1835, and entitled "An Act for the increase of the Revenue in this Island," having been referred by His Majesty for the consideration of the Lords of the Committee of His Privy Council for the affairs of Trade, I have the honor to inclose, for your information, a copy of the answer which has been received from their Lordship's Secretary.

You will observe, that their Lordships express their decided objection to that clause of the Act which allows of a partial remission of Duty on such quantities of Goods as are directly bartered for the produce of the Island. As, however, this Act will necessarily expire at a very early date, I have not considered it necessary to advise His Majesty, in the present instance, formally to disallow it. But, in the event of any similar Act being hereafter passed by the Legislature of Prince Edward Island, you will understand that you are not at liberty to give your assent to any provision of the nature of that adverted to in the inclosed communication.

I have, &c.

(Signed)

GLENELG.

Mr. President Wright, Prince Edward Island.



*Office of Committee of Privy Council for Trade, Whitehall, 9th April, 1836.*

SIR,

The Lords of the Committee of Privy Council for Trade have considered the Act passed by the Legislature of Prince Edward Island (No. 424); transmitted with your letter of the 4th ult.; and, in answer to the questions contained in your letter, have directed me to state to you, for the information of Lord Glenelg, that their Lordship's see no objection to an increase of the duty on Rum, which applies equally to British and Foreign Rum, and thus leaves the existing distinction made by the present duties unaltered.

But I am to add, that their Lordships cannot approve of a rule of importation under which a partial remission of duty is made upon those quantities of Goods which are directly bartered for the productions of the place, while those quantities which are sold upon arrival, are held subject to the whole amount. It is very possible that such a Rule may be worked in a manner so as to produce inequalities, which would not, on any account receive the sanction of the Lords of this Committee.

I am, &c.

(Signed)

J. D. HUME.

[SECOND MESSAGE.]

J. HARVEY, Lieutenant Governor.

The Lieutenant Governor lays before the Legislative Council the copy of a Despatch from the Right Honorable Lord Glenelg, His Majesty's Principal Secretary of State for the Colonial Department, transmitting copies of two Orders passed by His Majesty in Council, on the 28th April, 1836, relative to certain Acts passed in the year 1835, by the Legislature of this Island.

Government House, 4th February, 1837.

No. 29.

[COPY.]

Downing Street, 29th April, 1836.

SIR—I have had under my consideration the Acts passed by the Legislature of Prince Edward Island in the months of April and May last, and I have to request your attention to the following observations respecting them:

The Act No. 409, for vacating the Seats of the Members of Assembly accepting offices of emolument under the Crown, is free from any objection in principle; but in its details, there are some provisions which are alike new and inconvenient. The seat of a Member accepting office is to be vacated as a matter of course, upon a certificate of the fact, signed by two other Members, being delivered either to the Speaker, if the House be in Session, or to the Governor during the recess. The new Writ will issue as the necessary legal consequence of such a certificate.

I consider this an injudicious innovation. It will constitute any two Members who may assume to themselves that function, judges without appeal upon a question, on which it rather belongs to the House collectively to adjudicate. Whether a particular employment be or be not an office of emolument under the Crown, is not seldom an inquiry of serious difficulty.

Further, there is no exception of the case of Military officers receiving commissions or promotion in the Army. It has not been usual in the Colonies to require the avoidance of a seat on this ground; nor does it seem reasonable so to enlarge the rule, for officers in the Army are, neither in practice nor in theory, advanced in reference to political services; and it is seldom convenient for them to bear the expense of a new election, after having already incurred that of a new commission.

His Majesty's decision upon this Act will therefore be suspended until the Legislature shall have had an opportunity of considering the foregoing objections.

No. 47, respecting Marriages, appears to have been formed under the apprehension that an Act which had been previously passed would be considered objectionable; but as the previous Act has been already confirmed, His Majesty will not make any order on that which has been subsequently passed.

The Act No. 418, establishing a Court for cases of Divorce and Alimony, having a suspending clause, has received His Majesty's special confirmation.

No. 421, authorising the sale of certain Church Lands, appears to have been passed in conformity with the wishes expressed in the Despatches of my predecessors. This Act also has a suspending clause, and has received His Majesty's special confirmation.

The Act No. 424, expires next month, and forms the subject of a separate Despatch.

I transmit herewith an Order passed by His Majesty in Council on the 28th inst., confirming the before mentioned Acts, Nos. 418 and 421, and likewise an Order leaving the remaining Acts of the Session to their operation.

I have the honor to be, &c.  
(Signed)

GLENELG.

Mr. President Wright, Prince Edward Island.

AT THE COURT AT ST. JAMES'S, THE 28th APRIL, 1836.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY.

*Lord Chancellor,*  
*Lord President,*  
*Lord Privy Seal,*  
*Lord Steward,*  
*Lord Chamberlain,*  
*Marquis of Winchester,*  
*Earl of Albemarle,*  
*Earl of Minto,*  
*Lord John Russell,*

*Viscount Palmerston,*  
*Viscount Melbourne,*  
*Viscount Howick,*  
*Lord Holland,*  
*Lord Hill,*  
*Lord Glenelg,*  
*Mr. Poulett Thomson,*  
*Sir John Hobhouse, Bart.*  
*Mr. Chancellor of the Exchequer.*

Whereas the Governor of His Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the year 1835, pass Twelve Acts, which have been transmitted, entitled as follows, viz:

No. 410.—'An Act for the more effectual punishment of Offenders, by enabling the Supreme Court to add Hard Labour to the sentence of imprisonment.'

No. 411.—'An Act to explain and amend the Act relating to Trespasses.'

No. 412.—'An Act authorizing Commissions to be issued for taking the Depositions of Witnesses out of this Island, in cases where Judgment hath been marked by default.'

No. 413.—'An Act concerning the property of the Methodist Society at Charlottetown.'

No. 414.—'An Act relating to Distress for Rent, and to regulate the practice of the Supreme Court in cases of Replevin.'

No. 415.—'An Act to make more effectual provision for preventing the spreading of infectious distempers within this Island.'

No. 416.—'An Act for further explaining and amending the Act for regulating the laying out and altering of Highways, and for providing a mode of obtaining compensation for those who may thereby be injured, and to cause those who are benefited thereby to contribute towards their formation.'

No. 419.—'An Act to amend and render perpetual certain Laws now in force relating to Treasury Notes.'

No. 420.—'An Act to prevent Hawkers and Pedlars travelling and selling within this Colony without a License.'

No. 422.—'An Act to provide for the payment of Interest on Warrants which are not paid at the Treasury on demand.'

No. 423.—'An Act to continue four several Acts therein mentioned.'

No. 425.—'An Act for appropriating certain Monies therein mentioned, for the service of the year of our Lord One thousand eight hundred and thirty-five.'

And whereas the said Acts have been referred to the Committee of the Lords of His Majesty's most Honorable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said Committee have reported as their opinion to His Majesty, that the said Acts should be left to their operation: His Majesty was thereupon this day pleased, by and with the advice of His Privy Council, to approve the said Report: 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.

W. L. BATHURST.

AT THE COURT AT ST. JAMES'S, THE 28th OF APRIL, 1836.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY.

*Lord Chancellor,*  
*Lord President,*  
*Lord Privy Seal,*  
*Lord Steward,*  
*Lord Chamberlain,*  
*Marquis of Winchester,*  
*Earl of Albemarle,*  
*Earl of Minto,*  
*Lord John Russell,*

*Viscount Palmerston,*  
*Viscount Melbourne,*  
*Viscount Howick,*  
*Lord Holland,*  
*Lord Hill,*  
*Lord Glenelg,*  
*Mr. Poulett Thomson,*  
*Sir John Hobhouse, Bart.*  
*Mr. Chancellor of the Exchequer.*

Whereas the Governor of His Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the year 1835, pass two Acts, which have been transmitted, entitled as follows, viz:

No. 418.—' An Act for establishing a Court of Divorce in this Island, and for repealing a certain Act therein mentioned.'

No. 421.—' An Act to authorize the Sale of Lands in this Island, reserved as sites for Churches and for Glebe and School Lands.'

And whereas the said Acts have been referred to the Committee of the Lords of His Majesty's most Honorable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said 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 Acts; and the same are 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.

W. L. BATHURST.

[THIRD MESSAGE.]

J. HARVEY, Lieutenant Governor.

The Lieutenant Governor lays before the Legislative Council the copy of a Despatch from the Right Honorable Lord Glenelg, His Majesty's Principal Secretary of State for the Colonial Department, transmitting the Extract of a Report of the Lords of the Committee of Council for Trade, together with an Order of His Majesty in Council, of the 28th April, 1836, disallowing the Act passed by the Legislature of this Island in the year 1833, for incorporating the Trustees of Saint Andrew's College.

Government House, 4th February, 1837.

[COPY.]

No. 30.

Downing Street, 30th April, 1836.

SIR—I have the honor to acknowledge the receipt of your Despatch, No. 9, — March last, including the Report of the Attorney General respecting an Act, No. 363, of Prince Edward Island, for incorporating the Trustees of Saint Andrew's College. As I find by this Report that no inconvenience will be experienced by the disallowance of this Act, it has been disallowed by His Majesty in Council, for the reasons stated in my Despatch No. 16, of the 21st November last; and I transmit the Order herewith.

I have the honor to be, &amp;c.

(Signed)

GLENELG.

Mr. President Wright, Prince Edward Island.

*Extract of a Report from the Lords of the Committee of Council for Trade, dated 26th April, 1836.*

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

“ This Act does not explain what are the Trusts on which the property of the Corporation is to be holden. — That the constitution of that Corporate Body is not fixed and determinate, but will depend upon the opinion of the Trustees for the time being. — That it contains no provision for securing the good management of the College, or for the forfeiture of the Charter in the event of any neglect or abuse — That the provision made for perputating the Trust, by new elections, is inferred — and that the terms employed to determine the qualification of Trustees are indefinite, and susceptible of various and even opposite constructions.

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

AT THE COURT AT ST. JAMES'S, THE 28th OF APRIL, 1836.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY.

*Lord Chancellor,  
Lord President,  
Lord Privy Seal,  
Lord Steward,  
Lord Chamberlain,  
Marquis of Winchester,  
Earl of Albemarle,  
Earl of Minto,  
Lord John Russell,*

*Viscount Palmerston,  
Viscount Melbourne,  
Viscount Howick,  
Lord Holland,  
Lord Hill,  
Lord Glenelg,  
Mr. Poulett Thompson,  
Sir John Hobhouse, Bart.  
Mr. Chancellor of the Exchequer.*

Whereas the Governor of His Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the year 1833, pass an Act, which has been transmitted, entitled as follows, viz:

No. 363.—‘ An Act to incorporate the Trustees of Saint Andrew's College, in King's County.’

And whereas the said Act has been referred to the Committee of the Lords of His Majesty's most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said 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 Prince Edward, for the time being, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

W. L. BATHURST.

Which being read—

*Ordered*, That the said Documents do lie on the Table.

Adjourned until Twelve o'clock to-morrow.

**TUESDAY, February 7th, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of yesterday.

A Message from the House of Assembly, by Mr. Binns, with a Bill, intituled 'An Act relating to Merchant Seamen', to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

*Ordered*, That the said Bill do stand for a second reading on Thursday next.

Read a third time, and passed, the Bill intituled "An Act for establishing the Standard Weight of Grain and Pulse, and for the appointment of Officers for Measuring and Weighing the same."

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them therewith.

Adjourned until Twelve o'clock to-morrow.

## WEDNESDAY, February 8th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Attorney General*.

PRAYERS.

**R**EAD the proceedings of yesterday.

Pursuant to the Order of the Day, the House resolved itself into a Committee of the whole, to take into consideration the Bill for granting Patents for useful Inventions.

*Mr. Attorney General* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and had agreed to the same without any amendment.

*Ordered*, That the Report of the Committee be agreed to, and that the said Bill be engrossed.

On motion, the House resolved itself into a Committee of the whole, to take into consideration the Bill relating to Titles to Land, acquired under Deeds from Sheriffs or Coroners.

*Mr. Attorney General* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, had made some progress therein, and that he was directed to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

*Mr. Brecken*, by leave, presented a Petition from certain Inhabitants of Charlottetown Royalty, setting forth—that from the proceedings which took place last Session, with regard to the Roads in the said Royalty, which materially affect important private rights, Petitioners are fearful of similar proceedings this Session, and praying that any measure which this House may pass into a Law, may go to confirm the Lines of Road as they now stand, and leave all private rights unaffected by Legislative enactment—which being read,

*Ordered*, That the said Petition do lie on the Table.

Read a second time, the Bill intituled “ An Act to continue an Act for regulating the Weight and Quality of Bread within the Town and Royalty of Charlottetown.”

Adjourned until Twelve o'clock to-morrow.

**THURSDAY, February 9th, 1837.**

The Council met, pursuant to adjournment.

**PRESENT:**

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

**PRAYERS.**

**R**EAD the proceedings of yesterday.

Pursuant to the Order of the day, the Bill intituled "An Act relating to Merchant Seamen," was read a second time.

*Ordered*, That the said Bill be committed to a Committee of the whole House on Monday next.

Read a third time, and passed, the Bill for granting Patents for Useful Inventions.

*Ordered*, That the said Bill be sent down to the House of Assembly, for their concurrence.

*Mr. Lane* gave notice of his intention to move for leave to bring in a Bill to prevent the running at large of Cattle in the Town of Charlottetown.

*Mr. Attorney General* gave notice of his intention to move for leave to bring in a Bill to authorize the appointment of Coroners in the several Counties within this Island.

Adjourned until Twelve o'clock to-morrow.

**FRIDAY, February 10th, 1837.**

The Council met, pursuant to adjournment.

**PRESENT:**

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

**PRAYERS.**

**R**EAD the proceedings of yesterday.

Adjourned until Twelve o'clock to-morrow.

## SATURDAY, February 11th, 1837.

The Council met pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**A** MESSAGE from the House of Assembly, by Mr. James, with a Bill intituled "An Act for the appointment of Harbour and Ballast Masters, and for more effectually preventing the throwing of Ballast into Harbours and Navigable Rivers"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

*Ordered*, That the said Bill do stand for a second reading on Monday next.

*Mr. Attorney General*, pursuant to notice given, moves for leave to bring in a Bill to authorize the appointment of Coroners in the several Counties within this Island.

Leave being granted, the said Bill was brought in and read a first time.

*Ordered*, That the said Bill do stand for a second reading on Tuesday next.

A Message from the House of Assembly, by Mr. Macdonald, with a Bill intituled "An Act to Incorporate the Steam Mill Company of Charlottetown," to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

*Ordered*, That the said Bill do stand for a second reading on Tuesday next.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill relating to Titles to Lands acquired under Deed from Sheriffs or Coroners.

*Mr. Attorney General* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the further consideration of the said Bill, and had agreed to the same, with several amendments.

*Ordered*, That the Report of the Committee be agreed to, and that the said Bill be engrossed.

Adjourned until Monday next, at Twelve o'clock.



**MONDAY, February 13th, 1837.**

The Council met pursuant to adjournment:

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of Saturday.

Pursuant to Order the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act relating to Merchant Seamen."

*Mr. Smith* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, had made some progress therein, and that he was directed by the Committee to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

Read a second time, the Bill intituled "An Act for the appointment of Harbour and Ballast Masters, and for more effectually preventing the throwing of Ballast into Harbours and Navigable Rivers."

*Ordered*, That the said Bill be committed to a Committee of the whole House on Wednesday next.

On motion, the House resolved itself into a Committee of the whole to take into consideration the Bill intituled "An Act to continue an Act for regulating the Weight and Quality of Bread within the Town and Royalty of Charlottetown."

*Mr. Brecken* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and agreed to the same, with the following amendment, viz:

*Folio 1, line 13*—Strike out the word "Ten," and insert the word "One."

*Ordered*, That the Report of the Committee be agreed to, and that the amendment be engrossed.

Adjourned until Two o'clock to-morrow.

## TUESDAY, February 14th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Attorney General*,  
*Mr. Brecken.*

PRAYERS.

At half-past Three o'clock, p. m. there not being a quorum, the President adjourned the House until Twelve o'clock to-morrow.

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## WEDNESDAY, February 15th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman.*

*Mr. Attorney General*,

PRAYERS.

**R**EAD a second time, the Bill to authorize the appointment of Coroners in the several Counties within this Island.

On motion, the House resolved itself into a Committee of the whole, to take into consideration the said Bill.

*Mr. Attorney General* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and had agreed to the same, with several amendments.

*Ordered*, That the Report of the Committee be agreed to, and that the said Bill be engrossed.

Read a third time, and passed, the Bill intituled "An Act relating to the Titles to Lands acquired under Deed from Sheriffs or Coroners."

*Ordered*, That the said Bill be sent down to the House of Assembly for their concurrence.

Read a third time, and passed, the Bill intituled "An Act to continue an Act for regulating the Weight and Quality of Bread within the Town and Royalty of Charlottetown," with the amendment.

*Ordered*, That the said Bill, with the amendment, be sent down to the House of Assembly for their concurrence.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill, intituled "An Act relating to Merchant Seamen."

Mr. *Smith* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the further consideration of the said Bill, and had agreed to the same, with the following amendments, viz:

*Folio 2, line 18*—After the word "Island," insert "of the burthen of Sixty Tons or upwards."

*Folio 21, line 22*—Strike out the word "Two" and insert the word "Ten."

*In the Title*—After the word "Seamen," insert "of this Island."

*Ordered*, That the Report of the Committee be agreed to, and that the amendments be engrossed.

On motion, the House resolved itself into a Committee of the whole to take into consideration the Bill, intituled "An Act for the appointment of Harbour and Ballast Masters, and for more effectually preventing the throwing of Ballast into Harbours and Navigable Rivers."

Mr. *Goodman* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, had made some progress therein, and that he was directed by the Committee to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

A Message from the House of Assembly, by Mr. *Palmer*, with the following Bills, to which they desire the concurrence of the Legislative Council, viz:

A Bill intituled "An Act to repeal the Laws now in force, for regulating Pounds, and to make more effectual provision for that purpose."

A Bill intituled "An Act to amend the several Acts of this Island, relating to Small Debts."

A Bill intituled "An Act to amend the Act relating to Bathing in the Waters near Charlottetown."

Also, with the Bill intituled "An Act for granting Patents for useful Inventions, agreed to, with certain amendments, to which they desire the concurrence of the Legislative Council.

Read a first time, the following Bills, viz:

A Bill intituled "An Act to repeal the Laws now in force for regulating Pounds, and to make more effectual provision for that purpose."

A Bill intituled "An Act to amend the several Acts of this Island relating to Small Debts."

Also, a Bill intituled "An Act to amend the Act relating to Bathing in the Waters near Charlottetown."

*Ordered*, That the said Bills do severally stand for a second reading to-morrow.

Read a second time, the Bill intituled "An Act to incorporate the Steam Mill Company of Charlottetown."

*Ordered*, That the said Bill be committed to a Committee of the whole House to-morrow.

On motion, the amendment made by the House of Assembly to the Bill intituled "An Act for granting Patents for useful Inventions, were read, and are as follows, viz:

*Folio 6, last line*—After the word "same," insert "and."

*Folio 9, line 13*—After the word "sum," insert "equal to three times the actual damage sustained by such Patentee or Patentees, his, her or their Executors, Administrators or Assigns."

On motion, *Ordered*, that the said amendments be agreed to.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them therewith.

Mr. *Attorney General* moved for leave to bring in a Bill to confirm certain Sales of Lands and Tenements, under the Act of the Legislature of this Island, to enable Creditors to recover their just Debts out of the Effects of their absent or absconding Debtors.

Leave being granted, the said Bill was brought in and read a first time.

Adjourned until Twelve o'clock to-morrow.

## THURSDAY, February 16th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,

*Mr. Haviland*,

*Mr. Attorney General*,

HON. *Mr. Brecken*,

*Mr. Smith*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

Read a third time, and passed, the Bill intituled "An Act for granting Patents for Useful Inventions," with the amendments.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them that this House have agreed to their amendments.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act for the appointment of Harbour and Ballast Masters, and for more effectually preventing the throwing of Ballast into Harbours and Navigable Rivers."

Mr. *Goodman* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the further consideration of the said Bill, had made some progress therein, and that he was directed to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

A Message from the House of Assembly, by Mr. *Pope*, with a Bill intituled "An Act to authorize the appointment of a Sheriff for each of the Counties in this Island"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

*Ordered*, That the said Bill do stand for a second reading on Monday next.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act for the appointment of Harbour and Ballast Masters, and for more effectually preventing the throwing of Ballast into Harbours and Navigable Rivers."

Mr. *Goodman* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the further consideration of the said Bill, and had agreed to the same, without any amendment.

*Ordered*, That the Report of the Committee be agreed to.

On motion, the said Bill was read a third time and passed.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them therewith.

On motion, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act to Incorporate the Steam Mill Company of Charlotte-town."

Mr. *Lane* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, had made some progress therein, and that he was directed by the Committee to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

Read a second time, the Bill intituled "An Act to repeal the Laws now in force for regulating Pounds, and to make more effectual provision for that purpose."

On motion, the House resolved itself into a Committee of the whole, to take the said Bill into consideration.

• *Mr. Brecken* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and had agreed to the same, with the following amendment, viz:

*Folio 1, line 6*—Strike out the words “for that purpose,” and insert “in lieu thereof.”

*Ordered*, That the Report of the Committee be agreed to, and that the amendment be engrossed.

Read a second time, the Bill intituled “An Act to amend the several Acts of this Island relating to Small Debts.”

On motion, the House resolved itself into a Committee of the whole, to take the said Bill into consideration.

*Mr. Haviland* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, had made some progress therein, and that he was directed by the Committee to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

Read a second time, the Bill intituled “An Act to amend the Act relating to bathing in the Waters near Charlottetown.”

Adjourned until Twelve o'clock to-morrow.

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## FRIDAY, February 17th, 1837.

The following Members of Council met, viz:

HON. *Mr. Lane*,  
*Mr. Attorney General*,  
*Mr. Brecken*,  
*Mr. Smith*.

The President being unable to attend, owing to the state of the weather, the Council could not proceed to business.

Adjourned until Twelve o'clock to-morrow.

**SATURDAY, February 18th, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,

*Mr. Haviland*,

*Mr. Attorney General*,

HON. *Mr. Brecken*,

*Mr. Smith*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of Thursday.

Two Messages from His Excellency the Lieutenant Governor, by the Hon. Thomas H. Haviland, Acting Colonial Secretary.

[FIRST MESSAGE.]

J. HARVEY, Lieutenant Governor.

The Lieutenant Governor lays before the Legislative Council the copy of a Despatch from the Right Honorable the Secretary of State for the Colonial Department, inclosing a copy of a Letter from the Lords Commissioners of His Majesty's Treasury, approving of the Lieutenant Governor's recommendation, that the custody of the Government House and Furniture should be vested in a Committee of the Colonial Legislature.

Government House, 11th February, 1837.

No. 41.

[COPY.]

Downing Street, 5th December, 1836.

SIR,

Having referred your Despatch, No. 9, of the 9th of October, for the consideration of the Lords Commissioners of the Treasury, with whom originated the regulations for the safe custody of the Furniture provided at the public expense for the Government Houses in the several Colonies, I have now received a Letter, of which I enclose a Copy, conveying their Lordships' approval of the arrangement proposed by you, for vesting the charge of your residence, and of the public Furniture in it, in a Committee of the Colonial Legislature.

I have the honor to be, &c.

(Signed)

GLENELG.

Colonel Sir John Harvey, K. C. H.,  
&c. &c. &c.

[COPY.]

TREASURY CHAMBERS, 30th November, 1836.

SIR—With reference to your letter of the 19th instant, inclosing Copy of a Despatch from the Lieutenant Governor of Prince Edward Island, in which he recommends that the custody of the Government House and Furniture should be vested in a Committee of the Colonial Legislature, as the House and Furniture

were provided out of Colonial funds—I am directed by the Lords Commissioners of His Majesty's Treasury to acquaint you, for the information of Lord Glenelg, that, adverting to the manner in which the expense of furnishing the Government House at Prince Edward Island is stated to have been provided for, my Lords approve of the arrangement proposed by Sir John Harvey, in regard to the custody of the Furniture.

I am, &c.

(Signed)

A. J. SPEARMAN.

James Stephen, Esq. &c. &c.

[SECOND MESSAGE.]

J. HARVEY, Lieutenant Governor.

The Lieutenant Governor lays before the Legislative Council the copy of a Despatch received from the Right Honorable the Secretary of State for the Colonial Department, upon the subject of Prison Discipline in this Island; and in bringing under the consideration of the House of Assembly the necessity which exists for the adoption of some wholesome regulations for the internal management of the different Jails, the Lieutenant Governor cannot do better than refer the House of Assembly to the Evidence on the general question of Prison Discipline, taken before the House of Lords, a copy of which, the Lieutenant Governor has been informed, was laid before the House of Assembly in its last Session.

Government House, 14th February, 1837.

[COPY.]

Downing Street, 20th June, 1836.

SIR—I have the honor to acknowledge the receipt of your Despatch of the 3d May, No. 11, transmitting, in reply to my Circular Despatch of the 28th November last, a Report on the state of the Gaols in Prince Edward Island.

It would appear from this Report, that the existing Buildings are more than sufficient for the average number of persons confined in them; but I observe that the regulations established for their internal arrangement are deficient in some very important particulars.—Thus it is stated, in answer to my inquiry on that point, that ‘the several Gaols contain separate rooms for Debtors, and Cells for Criminals, but there are no particular rules established for their classification.’ This, however, is one of the most essential principles of Prison Discipline, a principle, without the strict observance of which, all other regulations must be nugatory. From the answer which I have quoted above, I am left in doubt, whether there is even any separation in the sexes, or any seclusion of those who are merely committed for trial, from those who have been convicted. I have to desire that you will lose no time in taking the necessary steps for enforcing the strict classification of all prisoners within the Gaols of Prince Edward Island; and considering the facilities afforded by the size of the Buildings for effecting this important arrangement, you must allow me to express my regret that it should have been so long neglected. I cannot offer you any more useful information for your guidance in this matter than is contained in the evidence on the question, taken before the House of Lords, a copy of which was inclosed in my Despatch of the 28th November.

It is stated that no provision is made for the instruction of Prisoners—that there is no Chaplain to the Gaols—and that there are no Magistrates specially appointed for visiting them. From the silence of the persons who drew up this Report, I should be further led to infer, with reference to the latter point, that the Magistrates of the Colony have not been in the habit of inspecting the Prisons; but I am unwilling to believe that so essential a duty can have been hitherto neglected. I wish, therefore, to receive a further report from you on this subject.—If the existing law in Prince Edward Island does not commit to the magistracy the superintendence of the Prisons, it will be necessary that the deficiency should be brought before the Legislature at its next meeting.—If the superintendence is already intrusted to the Magistracy, I feel confident that those gentlemen will only require to be reminded of the importance of the subject, to insure a frequent exercise of this part of their functions.—And I would moreover observe, that the occasional inspection



of the Prisons by the Administrator of the Government, would at once offer a useful example to the subordinate Magistracy, and would insure a strict attention to Prison Discipline.—But it would be essential, with a view to the latter object, that those visits should not be at any regular or stated periods, or when they could be foreseen. On the question of providing for the religious and moral instruction of the Prisoners, I must refer you to the Colonial Legislature. You will, at their next Session, suggest to them the propriety of making some provision for that service.

I shall be happy hereafter to receive from you any further information on this subject, which you may be able to furnish. It is one, the importance of which, both on considerations of justice and humanity, I need scarcely point out; and I feel confident, that when your own authority may be inadequate for the correction of any deficiencies which may be found to exist, that of the Colonial Legislature will not be invoked by you in vain.

I have, &c.

(Signed)

GLENELG.

The Acting Governor of Prince Edward Island.

*Ordered*, That the foregoing Documents do lie on the Table.

Read a third time, and passed, the Bill intituled “An Act relating to Merchant Seamen,” with the amendments.

*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly for their concurrence.

Read a third time, and passed, the Bill intituled “An Act for regulating Pounds, and to make more effectual provision for that purpose,” with the amendment.

*Ordered*, That the said Bill, with the amendment, be sent down to the House of Assembly, for their concurrence.

Read a third time, and passed, the Bill intituled “An Act to authorize the appointment of Assistant Coroners in the several Counties within this Island.”

*Ordered*, That the said Bill be sent down to the House of Assembly for their concurrence.

A Message from the House of Assembly, by Mr. Pope, with a Bill intituled “An Act for consolidating and amending the Acts for the appointment of Limits and Rules for the Jails in this Island,” to which they desire the concurrence of the Legislative Council.

Also, with the following written Message:

Mr. President,

The House of Assembly desire a Conference with the Legislative Council, on the subject of the Public Accounts, and have appointed Mr. Thornton, Mr. Pope, Mr. Macdonald and Mr. Green, a Committee to manage the said Conference.

Read a first time, the Bill intituled “An Act for consolidating and amending the Acts for the appointment of Limits and Rules for the Jails in this Island.”

On motion, *Ordered*, that a Conference be agreed to, as is desired by the House of Assembly, on the Public Accounts.

*Ordered*, That Mr. Lane and Mr. Brecken be a Committee to manage the same, to meet in the Committee Room instanter.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them therewith.

On motion, that the Bill intituled "An Act to amend the Act relating to Bathing in the Waters near Charlottetown," be read a third time.

It was moved as an amendment, that the said Bill be read a third time this day three months.

The House divided on the amendment:

CONTENTS.	NON-CONTENTS.
<i>Mr. Lane,</i>	<i>The Chief Justice,</i>
<i>Mr. Attorney General,</i>	<i>Mr. Smith.</i>
<i>Mr. Brecken,</i>	
<i>Mr. Goodman.</i>	

And it passed in the affirmative.

Read a second time, the Bill intituled "An Act to confirm certain Sales of Lands and Tenements, made under the Act of the Legislature of this Island, enabling Creditors to recover their just Debts out of the Effects of their absent or absconding Debtors."

*Ordered*, That the said Bill be committed to a Committee of the whole House on Monday next.

The Committee appointed to meet the Committee of the House of Assembly on the Public Accounts, having gone to the Conference, and returned, reported the substance thereof.

Adjourned until Monday next, at One o'clock.

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## MONDAY, February 20th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright,*

HON. *Mr. Brecken,*

*Mr. Lane,*

*Mr. Smith,*

*Mr. Haviland,*

*Mr. Goodman.*

*Mr. Attorney General,*

PRAYERS.

**R**EAD the proceedings of Saturday.

Pursuant to the Order of the Day, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act to confirm certain Sales of Lands and Tenements made under the Act of the Legislature of this Island, enabling Creditors to recover their just Debts out of the effects of their absent or absconding Debtors."

Mr. *Attorney General* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and agreed to the same, with certain amendments.

*Ordered*, That the Report of the Committee be agreed to, and that the said Bill be engrossed.

Pursuant to Order, the Bill intituled "An Act for consolidating and amending the Acts for the appointment of Limits and Rules for the Jails in this Island," was read a second time.

*Ordered*, That the said Bill be committed to a Committee of the whole House on Saturday next.

Read a second time, the Bill intituled "An Act to authorize the appointment of a Sheriff for each of the Counties in this Island."

*Ordered*, That the said Bill be committed to a Committee of the whole House to-morrow.

Adjourned until Twelve o'clock to-morrow.

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## TUESDAY, February 21st, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of yesterday.

Read a third time, and passed, the Bill intituled "An Act to confirm certain Sales of Lands and Tenements, made under the Act of the Legislature of this Island, enabling Creditors to recover their just Debts out of the effects of their absent or absconding Debtors."

*Ordered*, That the said Bill be sent down to the House of Assembly, for their concurrence.

A Message from the House of Assembly, by Mr. Thornton.

Mr. President,

The House of Assembly desire a Conference with the Legislative Council, on the subject matter of the amendment made by the Council to the Bill intituled "An Act to continue an Act for regulating the Weight and Quality of Bread within the Town and Royalty of Charlottetown," and have appointed Mr. Pope, Mr. Binns, Mr. Thornton and Mr. Green a Committee to manage the said Conference.

On motion, Ordered, that a Conference be agreed to, as is desired by the House of Assembly, on the amendment made to the Bill intituled "An Act to continue an Act for regulating the Weight and Quality of Bread within the Town and Royalty of Charlottetown."

Ordered, That Mr. *Attorney General* and Mr. *Brecken* be a Committee to manage the same, to meet in the Committee Room instanter.

Ordered, That a Message be sent down to the House of Assembly, acquainting them therewith.

Thereupon the Committee went to the Conference, and having returned, reported, that they had met the Committee of the House of Assembly, who had delivered to them their reasons for disagreeing to the amendment of the Council to the said Bill; and the said reasons were read and are as follows, viz:

That the said Act having been in operation for several years, and the Council not having disapproved of any of the provisions of the Bill in question, but merely amended it, by limiting its duration to one year, the House of Assembly submit, that the annual reconsideration by the Legislature of such Acts as are found beneficial in their operation, unless with a view to their amendment, in principle or detail, appears unnecessary, and causes a loss of time, and consequent expenditure of the public money, by occupying the attention of the Legislature, without producing any beneficial results.

On motion, Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to use his influence with the Imperial Government, to procure for the use of the Legislature of this Island, copies of the State Records, as presented to the neighbouring Colonies, together with the Journals of the Houses of Lords and Commons, including their Standing Orders; and that the House of Assembly be requested, by Message, to join in the said Address.

Ordered, That Mr. *Brecken* and Mr. *Goodman* be a Committee, on the part of this House, to prepare the said Address.

Ordered, That a copy of the foregoing Resolution and Order be sent down to the House of Assembly.

Pursuant to the Order of the Day, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act to authorize the appointment of a Sheriff for each of the Counties in this Island."

Mr. *Brecken* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, had made some progress therein, and that he was directed to move that they may have leave to sit again.

Ordered, That the Report of the Committee be received, and leave granted.

Adjourned until Twelve o'clock to-morrow.

**WEDNESDAY, February 22d, 1837.**

The following Members of Council met, viz:

HON. *Mr. Lane,*  
*Mr. Haviland,*  
*Mr. Smith,*

**T**HE President being unable to attend, owing to the state of the weather, the Council could not proceed to business.

Adjourned until Twelve o'clock to-morrow.

**THURSDAY, February 23d, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. <i>Mr. Lane,</i>	HON. <i>Mr. Smith,</i>
<i>Mr. Attorney General,</i>	<i>Mr. Goodman.</i>
<i>Mr. Brecken,</i>	

PRAYERS.

**R**EAD the proceedings of Tuesday.

*Mr. Smith*, by leave, presented a Petition from William Cranston, and others, proprietors of Pasture Lots in the Royalty of Charlottetown, and the same was received and read; setting forth—that from the very inaccurate manner in which the Roads in the said Royalty are laid off, the Petitioners have experienced great loss and inconvenience, and praying this House to adopt such measures as will tend to remedy the evil complained of.

*Ordered*, That the said Petition do lie on the Table.

Adjourned until Twelve o'clock to-morrow.

## FRIDAY, February 24th, 1837.

The following Members of Council met, viz:

HON. *Mr. Lane*,  
*Mr. Haviland*,  
*Mr. Attorney General*,  
*Mr. Smith*.

**T**HE President being unable to attend, owing to the state of the weather, the Council could not proceed to business.

Adjourned until Twelve o'clock to-morrow.

## SATURDAY, February 25th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. <i>Mr. Lane</i> ,	HON. <i>Mr. Brecken</i> ,
<i>Mr. Haviland</i> ,	<i>Mr. Smith</i> ,
<i>Mr. Attorney General</i> ,	<i>Mr. Goodman</i> .

PRAYERS.

**R**EAD the proceedings of Thursday.

Pursuant to the Order of the Day, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act for consolidating and amending the Act for the appointment of Limits and Rules for the Jails in this Island."

*Mr. Haviland* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, had made some progress therein, and that he was directed by the Committee to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

On motion, *Ordered*, That *Mr. Haviland*, *Mr. Attorney General* and *Mr. Brecken*, be a Committee to prepare and bring in a Bill to regulate the Boundaries of the Streets and Squares of Charlottetown, in conformity with the Resolution of this House passed in the last Session.

Adjourned until Twelve o'clock on Monday next.

**MONDAY, February 27th, 1837.**

The Council met, pursuant to adjournment.

## PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,

HON. *Mr. Brecken*,

*Mr. Haviland*,

*Mr. Smith*,

*Mr. Attorney General*,

*Mr. Goodman*.

## PRAYERS.

**R**EAD the proceedings of Saturday.

*Mr. Smith* informed the House that indisposition prevents *Mr. Wright* from attending in his place.

*Ordered*, That *Mr. Wright's* excuse be received.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act to authorize the appointment of a Sheriff for each of the Counties in this Island."

*Mr. Brecken* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and had agreed to the same, with the following amendments, viz:

*Folio 3, line 10*—After the word "County," insert "be invested with the same powers and authority in all respects, as the High Sheriff of this Island is now invested with, and shall."

*Same folio, line 12*—After the word "enactments," insert the word "penalties."

*Ordered*, That the Report of the Committee be agreed to, and that the amendments be engrossed.

On motion, the said Bill was read a third time, and passed, with the amendments.

*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly for their concurrence.

Adjourned until Twelve o'clock to-morrow.

**TUESDAY, February 28th, 1837.**

The following Members of Council met, viz:

HON. *Mr. Lane*,

HON. *Mr. Brecken*,

*Mr. Haviland*,

*Mr. Smith*,

*Mr. Attorney General*,

*Mr. Goodman*.

**T**HE President being unable to attend owing to the state of the Roads, the Council could not proceed to business.

Adjourned until Twelve o'clock to-morrow.

## WEDNESDAY, March 1st, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,

*Mr. Haviland*,

*Mr. Attorney General*,

HON. *Mr. Brecken*,

*Mr. Smith*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of Monday last.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act for consolidating and amending the Act for the appointment of Limits and Rules for the Jail in this Island."

*Mr. Haviland* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the further consideration of the said Bill, had made some progress therein, and that he was directed to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

A Message from the House of Assembly, by *Mr. Pope*, with a Bill intituled "An Act to continue and amend the Act for more effectually preventing the spreading of Infectious Distempers within this Island," to which they desire the concurrence of the Legislative Council.

Also, with the Bill intituled "An Act to confirm certain Sales of Lands and Tenements made under the Act of the Legislature of this Island, enabling Creditors to recover their just Debts out of the effects of their absent or absconding Debtors"—passed, with certain amendments, to which they desire the concurrence of the Legislative Council.

And the Bill intituled "An Act relating to the Titles to Lands acquired under Deed from Sheriffs or Coroners"—passed with certain amendments, to which they desire the concurrence of the Legislative Council.

Also, with the following written Message:

In the House of Assembly, February 27th, 1837.

*Mr. President*,

*Resolved*, That this House doth concur with the Legislative Council, in the expediency of presenting a joint Address to His Excellency the Lieutenant Governor, praying that he will be pleased to use his influence with the Imperial Government, to procure for the use of the Legislature of this Island, copies of the State Records, as presented to the neighbouring Colonies, together with the Journals of the Houses of Lords and Commons, including their Standing Orders.

*Ordered*, That *Mr. Pope*, *Mr. Thornton*, *Mr. Palmer* and *Mr. Macdonald*, be a Committee, on the part of this House, to prepare the said Address.



*Ordered*, That the said Resolution be communicated by Message to the Legislative Council.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act for consolidating and amending the Acts for the appointment of Limits and Rules for the Jails in this Island."

Mr. Haviland took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, with the following amendments, viz:

*Folio 3, line 2*—Strike out from the word "and," to the word "Lots," inclusive, and insert "including the Wharves and Water Lots, and within the Common Lots and Royalty."

*Same folio, line 9*—Strike out from the word "and," to the word "Lots," inclusive, and insert "including the Wharves and Water Lots, and within the Common and Royalty."

*Folio 11, line 2*—Strike out from the word "all," to the word "and," in the eighth line, inclusive.

*Title, line 2*—Strike out the word "Acts," and insert the word "Act."

*line 5*—Strike out from the word "Jails," to the word "Island," inclusive, and insert "Jail of Charlottetown, and the Act for regulating the Jails of King's and Prince Counties."

*Ordered*, That the Report of the Committee be agreed to, and that the amendments be engrossed.

A Message from the House of Assembly, by Mr. M'Callum, with the following Bills agreed to, as amended by the Legislative Council, viz:

A Bill intituled "An Act relating to Merchant Seamen of this Island."

A Bill intituled "An Act to repeal the Laws now in force for regulating Pounds, and to make more effectual provision in lieu thereof."

Read a first time, the Bill intituled "An Act to continue and amend the Act for more effectually preventing the spreading of Infectious Distempers within this Island."

On motion, the amendments made by the House of Assembly to the Bill intituled "An Act to confirm certain Sales of Lands and Tenements, made under the Act of the Legislature of this Island, enabling Creditors to recover their just Debts out of the effects of their absent or absconding Debtors," were read a first time, and are as follow, viz:

*Folio 1, line 17*—After the word "Debtors," insert "upon a verbal award of judgment by the Court, entered on the minutes by the Prothonotary, but."

*Folio 3, line 20*—After the word "notwithstanding," strike out "any want of such judgment," and insert "the want of any record or docquet of any such judgments."

On motion, the amendments made by the House of Assembly to the Bill intituled "An Act relating to the Titles to Lands acquired under Deed from Sheriffs or Coroners," were read a first time, and are as follow, viz:

*Folio 3, line 8*—At the end of the clause, insert "Provided always, that nothing in this Act contained shall extend, or be construed to extend, to affect the rights of the parties, or either of them, in any cause of action, in any suit which may have already been commenced, and now pending, in any way relating to Lands or Tenements so sold as aforesaid."

*In the Schedule*—Strike out: "Under Sheriff for the County of \_\_\_\_\_ or for the said Island," and instead thereof, insert "Sheriff, Under Sheriff, or Coroner, for."

Adjourned until Twelve o'clock to-morrow.

## THURSDAY, March 2d, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,  
*Mr. Haviland*,  
*Mr. Attorney General*,

HON. *Mr. Brecken*,  
*Mr. Smith*,  
*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

Read a third time, and passed, the Bill intituled "An Act for consolidating and amending the Acts for the appointment of Limits and Rules for the Jails in this Island," with the amendments.

*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly, for their concurrence.

Read a second time, the Bill intituled "An Act to continue and amend the Act for more effectually preventing the spreading of Infectious Distempers within this Island."

On motion, the House resolved itself into a Committee of the whole, to take the same into consideration.

*Mr. Attorney General* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, without any amendment.

*Ordered*, That the Report of the Committee be agreed to.

On motion, the said Bill was read a third time and passed.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them therewith.

Read a second time, the Amendments made by the House of Assembly to the Bill intituled "An Act to confirm certain Sales of Lands and Tenements made under the Act of the Legislature of this Island, enabling Creditors to recover their just Debts out of the effects of their absent or absconding Debtors."

Read a second time, the amendments made by the House of Assembly to the Bill intituled "An Act relating to the Titles to Lands acquired under Deed from Sheriffs or Coroners."

*Mr. Attorney General* obtained leave to absent himself for two days.

Adjourned until Twelve o'clock to-morrow.

**FRIDAY, March 3d, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,

HON. *Mr. Smith*,

*Mr. Brecken*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

On motion, the amendments made by the House of Assembly to the Bill intituled "An Act to confirm certain Sales of Lands and Tenements made under the Act of the Legislature of this Island, enabling Creditors to recover their just Debts out of the effects of their absent or absconding Debtors," were read a third time, and passed.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them that this House have agreed to their amendments.

Read a third time, and passed, the Amendments made by the House of Assembly, to the Bill intituled "An Act relating to the Titles to Lands acquired under Deed from Sheriffs or Coroners."

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them that this House have agreed to their amendments.

A Message from the House of Assembly, by Mr. Palmer.

Mr. President,

The House of Assembly have agreed to the amendments of the Legislative Council to the Bill intituled "An Act to authorize the appointment of a Sheriff for each of the Counties in this Island," with an amendment, to which they desire their concurrence.

And the said amendment was read a first time, and is as follows, viz:

After "Sheriff," in the last line of the amended clause of the Bill, insert the following clause:—  
 "And be it further enacted, that from and after the passing of this Act, it shall not be necessary  
 "for any Sheriff to notify the Members of the Legislature to attend the sittings thereof, but  
 "that the usual Proclamation in the *Royal Gazette*, or other authorized Publication, for con-  
 "vening the General Assembly, should be deemed sufficient notice, unless in cases of peculiar  
 "urgency, the Administrator of the Government shall deem a special notification of the Mem-  
 "bers expedient—any Law, usage or custom to the contrary in any wise notwithstanding."

On motion, the said amendment was read a second time.

Adjourned until Twelve o'clock to-morrow.

**SATURDAY, March 4th, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,  
*Mr. Haviland*,  
*Mr. Brecken*,

HON. *Mr. Smith*,  
*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

On motion, the amendment made by the House of Assembly to the amendments of the Council to the Bill intituled "An Act to authorize the appointment of a Sheriff for each of the Counties in this Island," was read a third time.

On motion, Ordered, that this House do agree to the said amendment.

Ordered, That a Message be sent down to the House of Assembly, acquainting them therewith.

Adjourned until Twelve o'clock on Monday next.

**MONDAY, March 6th, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,  
*Mr. Haviland*,  
*Mr. Attorney General*,

HON. *Mr. Brecken*,  
*Mr. Smith*,  
*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of Saturday.

Adjourned until Twelve o'clock to-morrow.

**TUESDAY, March 7th, 1837.**

The Council met, pursuant to adjournment.

**PRESENT:**

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

**PRAYERS.**

A Message from the House of Assembly, by Mr. Palmer, with the following Bills, to which they desire the concurrence of the Legislative Council, viz:

A Bill intituled "An Act to repeal certain parts of an Act intituled *An Act for the Limitation of Actions, and for avoiding Law Suits*, so far as the same relate to Actions concerning Real Estate, and to make other provisions in lieu thereof."

A Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown."

And also,

Mr. President,

The House of Assembly have agreed to the amendments made by the Legislative Council, to the Bill intituled "An Act for consolidating and amending the Acts for the appointment of Limits and Rules for the Jails in this Island," with certain amendments, to which they desire the concurrence of the Legislative Council.

Read a first time, the Bill intituled "An Act to repeal certain parts of an Act intituled *An Act for the Limitation of Actions, and for avoiding Law Suits*, so far as the same relate to Actions concerning Real Estate, and to make other provisions in lieu thereof."

On motion, the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown," was read a first time.

On motion, the amendments made by the House of Assembly to the amendments of the Council to the Bill intituled "An Act for consolidating and amending the Acts for the appointment of Limits and Rules for the Jails in this Island," were read a first time, and are as follow:

*Folio 1, line 12*, of the amendments—Strike out "the Common and Royalty," and insert "all that tract of land, bounded on the West by the Eastern Boundary of Township Numbers Fifty-two, and on the East, North and South, by Cardigan Bay and River, and Albion Bay and Brudenell Rivor."

*Folio 3, line 10*, of the Bill—Strike out "of the said Town."

*Mr. Haviland*, from the Committee appointed to prepare and bring in a Bill to regulate the Boundaries of the Streets and Squares of Charlottetown, presented to the House a Bill, as prepared by the Committee, and the same was received and read a first time.

Adjourned until Twelve o'clock to-morrow.

## WEDNESDAY, March 8th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

*Mr. Lane*,

*Mr. Haviland*,

*Mr. Attorney General*,

HON. *Mr. Brecken*,

*Mr. Smith*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

A Message from the House of Assembly, by Mr. Macdonald, with the Bill intituled "An Act to provide Seed Grain and Potatoes, for certain Settlers, and to regulate the distribution thereof, and mode of re-payment," to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

On motion, the said Bill was read a second time.

*Ordered*, That the said Bill be read a third time to-morrow.

Read a second time, the Bill intituled "An Act to repeal certain parts of an Act intituled *An Act for the Limitation of Actions, and for avoiding Law Suits*, so far as the same relates to Actions concerning Real Estate, and to make other provisions in lieu thereof."

*Ordered*, That the said Bill be committed to a Committee of the whole House on Friday next.

Read a second time, the amendments made by the House of Assembly to the amendments made by the Council, to the Bill intituled "An Act for consolidating and amending the Acts for the appointment of Limits and Rules for the Jails in this Island.

On motion, the said amendments were read a third time.

*Ordered*, That this House do agree to the said amendments.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them therewith.

Adjourned until Twelve o'clock to-morrow.

**THURSDAY, March 9th, 1837.**

The Council met, pursuant to adjournment.

**PRESENT:**

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

**PRAYERS.**

**READ** the proceedings of yesterday.

Pursuant to Order, the Bill intituled "An Act to provide Seed Grain and Potatoes for certain Settlers, and to regulate the distribution thereof, and mode of repayment, was read a third time."

*Ordered*, That the said Bill do pass.

*Ordered*, That the said Bill be sent down to the House of Assembly.

Adjourned until Twelve o'clock to-morrow.

**FRIDAY, March 10th, 1837.**

The Council met, pursuant to adjournment.

**PRESENT:**

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

**PRAYERS.**

**READ** the proceedings of yesterday.

Two Messages from His Excellency the Lieutenant Governor, by the Hon. Thomas H. Haviland, Acting Colonial Secretary.

[FIRST MESSAGE.]

J. HARVEY, Lieutenant Governor.

The Lieutenant Governor lays before the Legislative Council, copy of a Circular Despatch received by him from the Right Honorable Lord Glenelg, relative to a communication from the Master General and Board of Ordnance, in which it is stated, that the powers vested in that Department over the Lands granted or conveyed to them in many of the British Colonies, are not sufficiently formal and comprehensive to answer all the purposes required; and the Lieutenant Governor, in recommending the House to pass a Bill, conferring on the principal Officers of the Ordnance, the power that Board are desirous of obtaining over the Lands vested in them in this Colony, lays before the Legislative Council, for their information, the draught of a Bill which has been submitted to the consideration of the Legislature of Upper Canada, together with copies of two Acts of the Imperial Parliament, conferring similar powers on that Board in Great Britain.

Government House, March 10th, 1837.

[C I R C U L A R.]

Downing Street, 11th November, 1836:

Sir,

I have received a communication from the Master General and Board of Ordnance, stating, that in many of the British Colonies, certain Lands have been set apart for the erection of Forts, and for other military purposes, which lands have, in many cases, been purchased by that Department, or granted to it by the Crown.

It appears, however, that the manner in which these Lands have been vested in the Officers of Ordnance, has not been, generally speaking, sufficiently formal and comprehensive, to answer all the purposes required by the Board.

For the purpose of more clearly defining the nature and extent of the powers which the Board are desirous of obtaining, they have transmitted to me the draught of a Bill which they have submitted to the consideration of the Provincial Legislature of Upper Canada, and which contains all the provisions necessary to meet the desired object.

They have likewise referred me to the Acts 1 and 2 Geo. 4, cap. 69, and 2 Will. 4, cap. 28, as conferring on the Board similar powers over the Military Buildings and Lands in this country.

With the view of facilitating the object of the Master General and Board, I transmit to you copies of these three documents, and have to desire, that you will lay them before the Colonial Legislature, with the recommendation that they should pass such Bills, *mutatis mutandis*, for the purpose of conferring similar powers on the principal Officers of the Ordnance over the Military Lands and Buildings in the Colony under your Government.

I have the honor to be, &amp;c.

(Signed)

GLENELG.

Colonel Sir John Harvey, K. C. H.,  
&c. &c. &c.

Mr. *Haviland* also laid the following Documents, referred to in the above Message, before the Council:

Copy of and Act of the Imperial Parliament 1 and 2 Geo. 4, cap. 69, intituled 'An Act for vesting all Estates and Property, occupied for the Ordnance service, in the principal Officers of the Ordnance; and for granting certain powers for the said principal Officers.'

Copy of Act, 2 Will. 4, cap. 25, intituled 'An Act to extend and render more effectual two Acts of the First and Second and Third Years of His late Majesty King George the Fourth, respecting the Estates thereby vested in the principal Officers of the Ordnance, and to facilitate the public business in the Ordnance Department.'



Draught of a Bill submitted to the consideration of the Legislature of Upper Canada, for vesting all Estates and Property in the Province of Upper Canada, occupied for the Ordnance service in the principal Officers of His Majesty's Ordnance, and for granting certain powers to the said principal Officers.

[SECOND MESSAGE.]

J. HARVEY, Lieutenant Governor.

The Lieutenant Governor is desirous that the Legislative Council, at its rising to-day, should adjourn until Tuesday the 21st instant.

Government House, March 10th, 1837.

The Order of the Day for the House in Committee, on the Bill intituled "An Act to repeal certain parts of an Act intituled *An Act for the Limitation of Actions, and for avoiding Law Suits*, so far as the same relate to Actions concerning Real Estate, and to make other provisions in lieu thereof," being read—

*Ordered*, That the same be discharged, and stand as the Order of the Day for Tuesday, the Twenty-first instant.

On motion, *Ordered*, that a Committee be appointed to prepare and bring in a Bill, in accordance with His Excellency's Message, relative to certain Lands reserved for the Ordnance Department.

*Ordered*, That Mr. Lane and Mr. Attorney General be a Committee for that purpose.

His Excellency the Lieutenant Governor having come to the Council Chamber, and being seated, the Gentleman Usher of the Black Rod received His Excellency's commands to desire the immediate attendance of the House of Assembly in the Council Chamber.

The House of Assembly having attended accordingly, His Excellency was pleased to give his assent to the following Bills, viz:

A Bill intituled "An Act to authorize the appointment of a Sheriff for each of the Counties in this Island."

A Bill intituled "An Act to provide Seed Grain and Potatoes for certain Settlers, and to regulate the distribution thereof, and mode of repayment."

Then the Council adjourned until Tuesday, the Twenty-first day of March, instant, at Twelve o'clock.

## TUESDAY, March 21st, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Attorney General*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of Friday, the Tenth inst.

The President gave notice of his intention to move for leave to bring in a Bill to establish an additional Term of the Supreme Court, in Queen's County.

On motion, Ordered, that the Order of the Day, for the House in Committee on the Bill intituled "An Act to repeal certain parts of an Act intituled *An Act for the Limitation of Actions, and for avoiding Law Suits*, so far as the same relate to Actions concerning Real Estate, and to make other provisions in lieu thereof," be further postponed until Thursday next.

Adjourned until Twelve o'clock to-morrow.

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### WEDNESDAY, March 22d, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Attorney General*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

*Mr. Lane*, pursuant to notice, moved for leave to bring in a Bill to prevent the running at large of Horses within the Streets and Squares of Charlottetown.

Leave being granted, the said Bill was brought in and read a first time.

A Message from the House of Assembly, by *Mr. Pope*, with a Bill intituled "An Act to enable the Proprietors or Shareholders of a Company called 'the Bank of British North America,' to sue and be sued in the name of any one of the Local Directors, or of the Manager or Agent for the time being of the said Company in this Island," to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

Adjourned until Twelve o'clock to-morrow.

**THURSDAY, March 23d, 1837.**

The Council met, pursuant to adjournment.

## PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,  
*Mr. Lane*,  
*Mr. Haviland*,

HON. *Mr. Attorney General*,  
*Mr. Brecken*,  
*Mr. Goodman*.

## PRAYERS.

**R**EAD the proceedings of yesterday.

*Ordered*, That *Mr. Smith* be excused from attending in his place.

The President, pursuant to notice, moved for leave to bring in a Bill to establish an additional Term of the Supreme Court in Queen's County—leave being granted, the said Bill was brought in and read a first time.

Pursuant to the Order of the Day, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act to repeal certain parts of an Act intituled *An Act for the Limitation of Actions, and for avoiding Law Suits*, so far as the same relate to Actions concerning Real Estate, and to make other provisions in lieu thereof."

*Mr. Goodman* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, with the following amendments, viz:

*Folio 9, line 29*—After the word "Brunswick," insert "nor Newfoundland."

*Folio 13, line 27*—Strike out the word "nine," and insert the word "eight."

*Ordered*, That the Report of the Committee be agreed to, and that the amendments be engrossed.

A Message from His Excellency the Lieutenant Governor, by the Honorable *Mr. Haviland*, Acting Colonial Secretary:

J. HARVEY, Lieutenant Governor.

The Lieutenant Governor is desirous that the Legislative Council, at its rising to day, should adjourn until Monday, the Twenty-seventh instant.

On motion, *Ordered*, that the second reading of the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown," do stand as the Order of the Day for Thursday next.

*Ordered*, That the Petitioners against the said Bill be heard by Counsel at the Bar of this House.

*Mr. Attorney General* obtained leave to absent himself on Wednesday and Thursday next.

Adjourned until Monday next at Twelve o'clock.

**MONDAY, March 27th, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Haviland,*

HON. *Mr. Brecken,*

*Mr. Attorney General,*

*Mr. Smith,*

*Mr. Goodman.*

PRAYERS.

**R**EAD the proceedings of Thursday last.

Read a third time, and passed, the Bill intituled "An Act to repeal certain parts of an Act intituled *An Act for the Limitation of Actions, and for avoiding Law Suits*, so far as the same relate to Actions concerning Real Estate, and to make other provisions in lieu thereof," with the amendments.

*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly, for their concurrence.

Read a second time, the Bill intituled "An Act to establish an additional Term of the Supreme Court in Queen's County."

*Ordered*, That the said Bill be committed to a Committee of the whole House to-morrow.

Adjourned until Twelve o'clock to-morrow.

**TUESDAY, March 28th, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Attorney General,*

*Mr. Brecken,*

*Mr. Smith.*

PRAYERS.

**T**HERE not being a Quorum at half-past Two o'clock,

Adjourned until Twelve o'clock to-morrow.

## WEDNESDAY, March 29th, 1837.

The Council met, pursuant to adjournment.

### PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*.

*Mr. Haviland*,

### PRAYERS.

**R**EAD the proceedings of Monday.

*Ordered*, That *Mr. Goodman* be excused from attending in his place.

On motion, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act to Incorporate the Steam Mill Company of Charlottetown."

*Mr. Lane* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, with the following amendments, viz:

*Folio 2, line 3*—Strike out from the word "may," to the word "convenient," and insert the words "as hereinafter expressed."

*Folio 8, after line 12*, insert "And be it further enacted, that if the said Company, or other person or persons, shall be sued or prosecuted for any matter or thing, by such Company, or other person or persons, done under or in pursuance of this Act, the said Company, or other person or persons may be at liberty to plead the general issue, and give this Act and the special matter in evidence."

*Ordered*, That the Report of the Committee be agreed to, and that the amendments be engrossed.

Read a second time, the Bill intituled "An Act to prevent the running at large of Horses within the Streets and Squares of Charlottetown."

On motion, *Ordered*, that this House do agree to the said Bill, and that the same be engrossed.

On motion, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act to establish an additional Term of the Supreme Court in Queen's County."

*Mr. Brecken* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and agreed to the same, with certain amendments.

*Ordered*, That the Report of the Committee be agreed to.

*Ordered*, That the said Bill be engrossed, and that the Title be A Bill intituled "An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County."

A Message from the House of Assembly, by Mr. James, with a Bill intituled "An Act to regulate the Duties and Charges of Pilots, and to repeal the Acts formerly passed for that purpose"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

Adjourned until Twelve o'clock to-morrow.

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## THURSDAY, March 30th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,  
*Mr. Brecken*,

HON. *Mr. Smith*,  
*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

Read a third time, and passed, the Bill intituled "An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County."

*Ordered*, That the said Bill be sent down to the House of Assembly, for their concurrence.

Read a third time, and passed, the Bill intituled "An Act to incorporate the Steam Mill Company of Charlottetown," with the amendments.

*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly, for their concurrence.

Read a third time, and passed, the Bill intituled "An Act to prevent the running at large of Horses within the Streets and Squares of Charlottetown."

*Ordered*, That the said Bill be sent down to the House of Assembly, for their concurrence.

On motion, *Ordered*, That the Order of the Day for the second reading of the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown," be postponed until Saturday next.

Adjourned until Twelve o'clock to-morrow.

**FRIDAY, March 31st, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of yesterday.

A Message from the House of Assembly, by Mr. Pope, with a Bill intituled "An Act to explain and amend two several Acts of the General Assembly therein mentioned, for raising a Fund by an Assessment on Land"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

*Mr. Brecken*, from the Committee appointed to join the Committee of the House of Assembly, to prepare an Address to His Excellency the Lieutenant Governor, praying that he will be pleased to use his influence with the Imperial Government, to procure for the use of the Legislature, copies of the State Records, together with the printed Journals of the Houses of Lords and Commons, reported the draught of an Address, as agreed to by the Joint Committee, and the same was read, and is as follows:

To His Excellency Major-General Sir JOHN HARVEY, K. C. H. and C. B., Lieutenant Governor and Commander in Chief in and over His Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please your Excellency;

We, His Majesty's dutiful and loyal subjects, the Council and Assembly of Prince Edward Island, in Colonial Parliament assembled, respectfully beg leave to request that your Excellency will be pleased to use your influence in the proper quarter, to procure for the use of the Legislature of this Island, copies of the State Records of the Imperial Government, as the same have been presented to the neighbouring Colonies.

And the Council and Assembly would further solicit your Excellency's interest, to obtain for them copies of the Journals of the Imperial Parliament, (including their Standing Orders), in order that they may possess the advantage of referring to the valuable information which they contain, upon questions of difficulty.

*Ordered*, That the said Address be agreed to, and that the same be engrossed.

On motion, *Ordered*, that a Committee be appointed to join a Committee of the House of Assembly, to wait upon His Excellency with the said Address.

*Ordered*, That *Mr. Brecken* and *Mr. Goodman* be a Committee for that purpose.

*Ordered*, That a copy of the foregoing Order be communicated by Message to the House of Assembly.

A Message from the House of Assembly, by Mr. Palmer.

In the House of Assembly, 31st March, 1837.

*Resolved*, That a Committee be appointed to join the Committee of the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the Joint Address of the Council and Assembly, relative to procuring for the use of the Legislature, copies of the State Records, and the Journals of the Imperial Parliament.

*Ordered*, That Mr. Pope, Mr. Palmer, Mr. James and Mr. Macdonald do compose the said Committee.

*Ordered*, That a copy of the foregoing Resolutions be communicated by Message to the Legislative Council.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act to amend the several Acts of this Island, relating to Small Debts."

Mr. *Haviland* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

On motion, *Ordered*, that the Order of this House of the 7th of April, 1836, be rescinded, and that the Journals of the Council for the present Session, be printed without delay, and that Mr. *James D. Haszard* be appointed to perform the work; also, that in addition to the number usually printed, he be required to furnish one copy to each Member of the House of Assembly.

Read a second time, the Bill intituled "An Act to enable the Proprietors or Shareholders of a Company called *The Bank of British North America*, to sue and be sued in the name of any one of the Local Directors, or of the Manager or Agent for the time being, of the said Company in this Island."

Adjourned until Twelve o'clock to-morrow.

## SATURDAY, April 1st, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of yesterday.



Mr. *Brecken*, from the Joint Committee of the Council and Assembly, appointed to wait upon His Excellency the Lieutenant Governor with the Address relative to the State Records, and the Journals of the Houses of Lords and Commons, reported, that the Committee had waited on His Excellency, who was pleased to say, that he would comply with the prayer of the Address.

Read a second time, the Bill intituled "An Act to regulate the Duties and Charges of Pilots, and to repeal the Acts formerly passed for that purpose."

On motion, the House resolved itself into a Committee of the whole, to take the same into consideration.

Mr. *Brecken* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, with the following amendments, viz:

*Folio 6, line 10*—After the word "owned," insert "or partly owned."

*Same Folio, line 14*—After the word "owned," insert "or partly owned."

*Ordered*, That the Report of the Committee be agreed to, and that the amendments be engrossed.

A Message from the House of Assembly, by Mr. M<sup>c</sup>Nutt, with a Bill intituled "An Act for regulating the Herring and Alewives' Fisheries," to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

A Message from the House of Assembly, by Mr. Pope.

In the House of Assembly, Saturday, April 1st, 1837.

*Resolved*, That a Committee of this House be appointed to join a Committee of the Legislative Council, for the purpose of taking charge of the Government House and Public Furniture, in accordance with the Message of His Excellency the Lieutenant Governor, of the 11th of February last, relative thereto.

*Ordered*, That Mr. Pope, Mr. M<sup>c</sup>Callum, Mr. Macdonald and Mr. Binns do compose the said Committee.

*Ordered*, That a copy of the foregoing Resolution be communicated by Message to the Legislative Council.

On motion, *Ordered*, that the Order of the Day for the second reading of the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown," be further postponed until Monday next; and that the Petitioners in favour of the said Bill, be heard by Council at the Bar of this House.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act to amend the several Acts of this Island, relating to Small Debts."

Mr. *Haviland* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, with the following amendments, viz:

*Folio 3, line 15*—Strike out from the word “and” to the word “costs,” inclusive.”

*Folio 4, line 19*—Strike out from the word “and” to the word “aforesaid,” in the sixth folio, twelfth line, inclusive.

On motion, that the Report of the Committee be agreed to, the House divided:

CONTENTS.

*The Chief Justice,*  
*Mr. Wright,*  
*Mr. Haviland,*  
*Mr. Attorney General,*  
*Mr. Brecken,*  
*Mr. Smith.*

NON-CONTENTS.

*Mr. Lane,*  
*Mr. Goodman.*

And it passed in the affirmative.

*Ordered,* That the said amendments be engrossed.

Adjourned until Monday next at Twelve o'clock.

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**MONDAY, April 3d, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright,*

HON. *Mr. Brecken,*

*Mr. Lane,*

*Mr. Smith,*

*Mr. Attorney General,*

*Mr. Goodman.*

PRAYERS.

**R**EAD the proceedings of Saturday.

Pursuant to the Order of the Day, the Bill intituled “An Act relating to the Roads in the Royalty of Charlottetown,” was read a second time.

On motion, *Ordered,* that Counsel against the said Bill be now heard.

The Solicitor General was accordingly heard at the Bar.

*Ordered,* That Counsel in support of the Bill be now heard.

*Mr. Binns* was accordingly heard at the Bar.

The Solicitor General was heard in reply.

Adjourned until Twelve o'clock to-morrow.

**TUESDAY, April 4th, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of yesterday.

Read a third time, and passed, the Bill intituled "An Act to amend the several Acts of this Island, relating to Small Debts," with the amendments.

*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly, for their concurrence.

Read a third time, and passed, the Bill intituled "An Act to regulate the Duties and Charges of Pilots, and to repeal the Acts formerly passed for that purpose," with the amendments.

*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly, for their concurrence.

Read a second time, the Bill intituled "An Act to explain and amend two several Acts of the General Assembly therein mentioned, for raising a Fund by an Assessment on Land."

Read a second time, the Bill intituled "An Act for regulating the Herring and Alewives' Fisheries."

On motion, *Ordered*, That *Mr. Haviland*, *Mr. Brecken* and *Mr. Smith* be a Committee to revise the printed proof sheet of the Journal of this House.

*Mr. Haviland*, by leave, presented a Petition from *James H. Conroy*, of *Charlottetown*, Surgeon, setting forth—That Petitioner is deeply impressed with the necessity there exists for the enactment of a Law to enable the Judge of Probate in this Colony to compel Executors and Administrators to render their Accounts, and duly administer the Estates they represent, by a cheap and summary procees—and praying this House to pass an Act for that purpose—which being read,

*Ordered*, That the said Petition be received, and lie on the Table.

Read a third time, and passed, the Bill intituled "An Act to explain and amend two several Acts of the General Assembly therein mentioned, for raising a Fund by an Assessment on Land."

*Ordered*, That the said Bill be sent down to the House of Assembly.

A Message from the House of Assembly, by Mr. Palmer, with a Bill intituled "An Act for the encouragement and support of District and other Schools, and to repeal the Acts formerly passed for that purpose"—to which they desire the concurrence of the Legislative Council.

Also with,

The Bill intituled "An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County," with certain amendments—to which they desire the concurrence of the Legislative Council.

And also with,

The Bill intituled "An Act to repeal certain parts of an Act intituled *An Act for the Limitation of Actions, and for avoiding Law Suits*, so far as the same relate to Actions concerning Real Estate, and to make other provisions in lieu thereof"—agreed to, as amended by the Legislative Council.

Read a first time, the Bill intituled "An Act for the encouragement and support of District and other Schools, and to repeal the Acts formerly passed for that purpose."

On motion, the amendments made by the House of Assembly to the Bill intituled "An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County," were read a first time, and are as follow, viz:

*Folio 2, line 13*—After the word "Term," insert "and Writs may be made returnable on any of the said last mentioned Fourteen Days, or on any day in Easter Term."

*Folio 3, line 10*—After the word "same," insert the following clause, marked (A.)

"And be it further enacted, That this Act shall continue and be in force for and during the space of Four Years, from and after the passing thereof, and no longer."

*Resolved*, That a Committee be appointed to join the Committee of the House of Assembly, for the purpose of taking charge of the Government House and Public Furniture, in accordance with the Message of His Excellency the Lieutenant Governor, of the 11th of February last, relative thereto.

*Ordered*, That Mr. Lane, Mr. Haviland and Mr. Smith do compose the said Committee.

*Ordered*, That a copy of the foregoing Resolution be communicated by Message to the House of Assembly.

Adjourned until Twelve o'clock to-morrow.

**WEDNESDAY, April 5th, 1837.**

The Council met, pursuant to adjournment.

**PRESENT:**

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright,*

HON. *Mr. Brecken,*

*Mr. Lane,*

*Mr. Smith,*

*Mr. Haviland,*

*Mr. Goodman.*

*Mr. Attorney General,*

**PRAYERS.**

**READ** the proceedings of yesterday.

Read a second time, the amendments made by the House of Assembly, to the Bill intituled "An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County."

On motion, the said amendments were read a third time.

*Ordered,* That this House do agree to the said amendments.

Adjourned until Two o'clock to-morrow.

**THURSDAY, April 6th, 1837.**

The Council met, pursuant to adjournment.

**PRESENT:**

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane,*

HON. *Mr. Smith,*

*Attorney General,*

*Mr. Goodman.*

*Mr. Brecken,*

**PRAYERS.**

**READ** the proceedings of yesterday.

Adjourned until Twelve o'clock to-morrow.

## FRIDAY, April 7th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**A** MESSAGE from the House of Assembly, by Mr. Pope, with a Bill intituled "An Act to continue for one year an Act passed in the Fifth year of His present Majesty's Reign, providing for the payment of Interest on Warrants"—to which they desire the concurrence of the Legislative Council.

Also,

Mr. President,

The House of Assembly have agreed to the amendments made by the Council to the Bill intituled "An Act to regulate the Duties and Charges of Pilots, and to repeal the Acts formerly passed for that purpose," with an amendment—to which they desire the concurrence of the Legislative Council.

A Message from the House of Assembly, by Mr. Macdonald, with a Bill intituled "An Act for vesting all Estates and Property in this Island, occupied for the Ordnance service, in the Principal Officers of His Majesty's Ordnance, and for granting certain powers to the said Principal Officers"—to which they desire the concurrence of the Legislative Council.

Also,

Mr. President,

The House of Assembly have agreed to the amendments made by the Council to the Bill intituled "An Act to Incorporate the Steam Mill Company of Charlottetown," with certain amendments—to which they desire the concurrence of the Legislative Council.

On motion, the following Bills were read a first time, viz:

A Bill intituled "An Act to continue for one Year an Act passed in the Fifth year of His present Majesty's Reign, providing for the payment of Interest on Warrants."

A Bill intituled "An Act for vesting all Estates and Property in this Island, occupied for the Ordnance service, in the principal Officers of His Majesty's Ordnance, and for granting certain powers to the said principal Officers."

On motion, that the Bill intituled "An Act relating to the Streets and Squares of Charlottetown," be read a second time—It was moved as an amendment that the said Bill be read a second time this day three months.

The question being put, the House divided:

## CONTENTS.

*The Chief Justice,*

*Mr. Lane,*

*Mr. Brecken,*

*Mr. Smith.*

## NON-CONTENTS.

*Mr. Wright,*

*Mr. Haviland.*

And it passed in the affirmative.

On motion, the amendment made by the House of Assembly, to the amendments of the Council, to the Bill intituled "An Act to regulate the Duties and Charges of Pilots, and to repeal the Acts formerly passed for that purpose," was read a first time, and is as followeth:—

*Folio 1, line 4*—Strike out "or partly owned," and insert "either in whole, or to the extent of at least one half."

On motion, the said amendment was read a second time.

On motion, the amendments made by the House of Assembly to the amendments of the Council, to the Bill intituled "An Act to Incorporate the Steam Mill Company of Charlottetown," were read a first time, and are as follow:

*Folio 3d of the Bill, line 22*—After the words 'time to time,' insert 'after their first meeting, to be convened as mentioned in the Third Section of this Act.'

*Same folio, line 25*—After the word 'Corporation,' insert 'and for the making, altering or rescinding of any By Laws.'

*Folio 7, line 19*—After the word 'concerned,' insert 'Provided always, that nothing in this Act contained shall in any case have the effect of absolutely dissolving the said Company, until its contracts, accounts and affairs generally shall be finally performed, adjusted and paid—that after it shall appear as aforesaid, that one third of the capital stock of the said Company hath been lost, the said Company shall not be capable of carrying on business in its corporate capacity, except for the purpose of closing the concerns of the said Company.'

Read a second time, the Bill intituled "An Act for the encouragement and support of District and other Schools, and to repeal the Acts formerly passed for that purpose."

*Ordered,* That the said Bill be committed to a Committee of the whole House to-morrow.

Adjourned until Twelve o'clock to-morrow.

## SATURDAY, April 8th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

*Mr. Lane*,

*Mr. Haviland*,

*Mr. Attorney General*,

HON. *Mr. Brecken*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

*Mr. Lane* informed the House that indisposition prevents *Mr. Smith* from attending in his place.

*Ordered*, That *Mr. Smith's* excuse be received.

The Order of the Day having been read—on motion, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled “An Act for the encouragement and support of District and other Schools, and to repeal the Acts formerly passed for that purpose.”

*Mr. Brecken* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, with the following amendments, viz:

*Folio 15, line 21*—After the word ‘place,’ insert ‘and need not be confined to a building used exclusively for that purpose; provided that the said Schools shall be limited to the instruction of female scholars, and to that of boys under the age of eight years.”

*Same folio, line 22*—Strike out the word ‘provided,’ and insert ‘and provided also.’

*Ordered*, That the Report of the Committee be agreed to, and that the amendments be engrossed.

On motion, *Ordered*, that the Bill intituled “An Act to enable the Proprietors or Shareholders of a Company called *The Bank of British North America*, to sue and be sued in the name of any one of the Local Directors, or of the Manager or Agent for the time being, of the said Company in this Island,” be committed to a Committee of the whole House on Monday next.

Read a second time, the Bill intituled “An Act for vesting all Estates and Property in this Island, occupied for the Ordnance service, in the principal Officers of His Majesty’s Ordnance, and for granting certain powers to the said principal Officers.”

Read a second time, the Bill intituled “An Act to continue for one year an Act passed in the Fifth year of His present Majesty’s reign, providing for the payment of Interest on Warrants.”

On motion, the said Bill was read a third time, and passed.

*Ordered*, That the said Bill be sent down to the House of Assembly.

Adjourned until Monday next at Twelve o’clock.



**MONDAY, April 10th, 1837.**

The Council met, pursuant to adjournment.

**PRESENT:**

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

**PRAYERS.**

**R**EAD the proceedings of Saturday.

Read a third time, and passed, the Bill intituled "An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County," as amended by the House of Assembly.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them that this House have agreed to their amendments.

On motion, *Ordered*, that the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown," be committed to a Committee of the whole House to-morrow.

*Ordered*, That there be a call of the House to-morrow.

Pursuant to the Order of the Day, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act to enable the Proprietors or Shareholders of a Company called *The Bank of British North America*, to sue and be sued in the name of any one of the Local Directors, or of the Manager or Agent for the time being, of the said Company in this Island."

*Mr. Goodman* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, with the following amendment, viz:

*Folio 38, line 22*—After the word "more," insert "And be it further enacted, that nothing in this or in any other Act of the General Assembly of this Island contained, shall extend, or be construed to extend, to prevent the said Company from making, signing and issuing, or re-issuing, any Note payable on demand, to the holder or holders thereof, in gold or silver, at the place where the same purports to be issued, or re-issued, for any less sum than Five Pounds."

*Ordered*, That the Report of the Committee be agreed to, and that the amendment be engrossed.

Read a third time, the amendments made by the House of Assembly, to the amendment of the Council, to the Bill intituled "An Act to regulate the Duties and Charges of Pilots, and to repeal the Acts formerly passed for that purpose."

On motion, Ordered, that this House do agree to the said amendments.

Ordered, That a Message be sent down to the House of Assembly, acquainting them therewith.

On motion, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act for regulating the Herring and Alewives' Fisheries."

Mr. *Smith* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

Ordered, That the Report of the Committee be received, and leave granted.

Adjourned until Twelve o'clock to-morrow.

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## TUESDAY, April 11th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

*Mr. Lane*,

*Mr. Haviland*,

*Mr. Attorney General*,

HON. *Mr. Brecken*,

*Mr. Smith*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

On motion, Ordered, that a further Conference be desired with the House of Assembly, on the amendment made to the Bill intituled "An Act to continue an Act for regulating the Weight and Quality of Bread within the Town and Royalty of Charlottetown."

Ordered, That the same Committee who managed the former Conference, do manage this further Conference, to meet in the Committee Room instanter.

On motion, Ordered, that the Committee of this House be instructed to state to the Committee of the House of Assembly, that the Legislative Council fully concur in the sentiments expressed by the House of Assembly, as delivered by their Committee, to the Committee of the Council, when in Conference upon the amendment made by the Council, to the Bill intituled "*An Act to continue an Act for regulating the weight and quality of Bread within the Town and Royalty of Charlottetown;*" that in all cases where Acts are found to be beneficial in their operation, the annual reconsideration of such Acts, by the Legislature, unless with a view to their amendment, in principle or detail, causes a loss of time, and consequent expenditure of the public money; but as the Bill in question was originally assented

to by the Council as an experimental measure only, the efficacy of which was considered to be of doubtful policy, and its operation, in the opinion of the Council, having failed to afford that full protection to the Public, particularly as regards that class of the community, for whose benefit the Act was more immediately intended, the price of Bread bearing no reference to the fluctuating price of Flour—the Council, in deference to the House of Assembly, and under the expectation that some more efficient provision might, in the meantime be considered, were induced to amend the present Bill, by limiting its duration to one year.

On motion, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled “An Act for vesting all Estates and Property in this Island, occupied for the Ordnance service, in the principal Officers of His Majesty’s Ordnance, and for granting certain powers to the said principal Officers.”

Mr. Lane took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

A Message from the House of Assembly, by Mr. Thornton, with the following Bills, to which they desire the concurrence of the Legislative Council, viz:

A Bill intituled “An Act for the Increase of the Revenue in this Island.”

A Bill intituled “An Act to explain and amend an Act passed in the Fourth year of His present Majesty’s Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned.*”

A Bill intituled “An Act for vacating the Seats of Members of the Assembly, in certain cases therein mentioned, and to repeal a certain Act heretofore passed for that purpose.”

A Bill intituled “An Act to prevent the running at large of Horses within the Streets and Squares of Charlottetown, in the Winter season.”

Also, with the following written Message:

Mr. President,

The House of Assembly desire a Conference with the Legislative Council, on the subject of the amendments made by them to the Bill intituled “An Act to amend the several Acts of this Island, relating to Small Debts;” and have appointed Mr. Pope, Mr. Clark, Mr. Binns and Mr. Thornton, a Committee to manage the same.

And also,

Mr. President,

The House of Assembly do agree to a further Conference, as is desired by the Legislative Council, on the amendment made by the Council to the Bill intituled “An Act to continue an Act for regulating the Weight and Quality of Bread within the Town and Royalty of Charlottetown,” and have appointed the same Committee who managed the last Conference, a Committee to manage this further Conference.

Thereupon the Committee went to the Conference, and having returned, reported that they had complied with the instructions given them by this House.

On motion, Ordered, that a Conference be agreed to, as is desired by the House of Assembly, on the amendments made to the Bill intituled "An Act to amend the several Acts of this Island, relating to Small Debts."

Ordered, That Mr. *Haviland* and Mr. *Brecken* be a Committee to manage the same, to meet in the Committee Room instanter.

Ordered, That a Message be sent down to the House of Assembly, acquainting them therewith.

Thereupon the Committee went to the Conference, and having returned, reported, that they had met the Committee of the House of Assembly, who acquainted them that the House of Assembly had disagreed to the amendment made by the Council to the Bill intituled "An Act to amend the several Acts of this Island, relating to Small Debts," for the following reason:

Because numerous persons leave this Colony indebted in small sums, and which had better be abandoned and not sued for in most cases under the provisions of the Act for the recovery of Debts from absent Debtors, which requires all such Debts to be sued for in the Supreme Court of Judicature, and the costs on an average exceed Ten Pounds; whereas small demands might be recovered before Justices of the Peace, or Commissioners for recovery of Small Debts, in a summary way, at small costs, and perhaps with as great a certainty of justice being done to all parties concerned, as if the proceedings were had before any other tribunal, inasmuch as judgment would not be given for more than Five Pounds, exclusive of costs; and the process and judgment contemplated would not affect Real Estate; and security is provided by the Bill for a rehearing and restitution, if applied for within a reasonable time after a first judgment given.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act for vesting all Estates and Property in this Island, occupied for the Ordnance service, in the Principal Officers of His Majesty's Ordnance, and for granting certain powers to the said Principal Officers."

Mr. *Lane* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, with the following amendments, viz:

*Folio 2, line 16*—Strike out from the word 'Provided,' to the word 'purpose,' inclusive.

*Folio 6, line 20*—After the word 'Contracts,' insert the word 'Sales.'

*In the Title*—After the word 'Island,' insert the words 'belonging to or.'

Ordered, That the Report of the Committee be agreed to, and that the amendments be engrossed.

The Order of the Day having been read, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown."

Mr. *Lane* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

Read a first time, the following Bills, viz:

A Bill intituled "An Act for the Increase of the Revenue in this Island."

A Bill intituled "An Act for vacating the Seats of Members of the Assembly, in certain cases therein mentioned, and to repeal a certain Act heretofore passed for that purpose."

A Bill intituled "An Act to prevent the running at large of Horses within the Streets and Squares of Charlottetown, in the Winter season."

A Bill intituled "An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned.*"

On motion, the Bill intituled "An Act for the Increase of the Revenue in this Island," was read a second time.

Adjourned until Twelve o'clock to-morrow.

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**WEDNESDAY, April 12th, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of yesterday.

On motion, that this House do adhere to their amendment, made to the Bill intituled "An Act to amend the several Acts of this Island, relating to Small Debts."

The House divided:

CONTENTS.

*The Chief Justice,*  
*Mr. Wright,*  
*Mr. Haviland,*  
*Mr. Attorney General,*  
*Mr. Brecken,*  
*Mr. Smith.*

NON-CONTENTS.

*Mr. Lane,*  
*Mr. Goodman.*

And it passed in the affirmative.

On motion, Ordered, that a further Conference be desired with the House of Assembly on the subject matter of the last Conference, and that the same Committee who managed the last Conference, be a Committee to manage this further Conference, to meet in the Committee Room instanter.

Read a second time, the Bill intituled "An Act to prevent the running at large of Horses within the Streets and Squares of Charlottetown, in the Winter season."

On motion, the said Bill was read a third time, and passed.

*Ordered,* That the said Bill be sent down to the House of Assembly.

Read a second time, the Bill intituled "An Act for vacating the Seats of Members of the Assembly, in certain cases therein mentioned, and to repeal a certain Act heretofore passed for that purpose."

On motion, the said Bill was read a third time and passed.

*Ordered,* That a Message be sent down to the House of Assembly, acquainting them therewith.

A Message from the House of Assembly, by Mr. Pope.

Mr. President,

The House of Assembly do agree to a further Conference, as is desired by the Legislative Council, on the subject matter of the last Conference, and have appointed the same Committee who managed the last Conference, a Committee to manage this further Conference.

On motion, Ordered, that the Committee of this House be instructed to state to the Committee of the House of Assembly, that this House do adhere to their amendment made to the Bill intituled "An Act to amend the several Acts of this Island, relating to Small Debts."

Thereupon the Committee went to the Conference, and having returned, reported, that they had complied with the instructions given them by this House.

Read a second time, the Bill intituled "An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned.*"

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown."

Mr. *Lane* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

A Message from the House of Assembly, by Mr. Pope, with the following Bills, to which they desire the concurrence of the Legislative Council, viz:

A Bill intituled "An Act for levying an Assessment on all Lands in this Island."

A Bill intituled "An Act to empower the Inhabitants of Charlottetown to Assess themselves, for the purpose of purchasing or renting Sites for Engine Houses, and for erecting such Houses thereon."

Read the said Bills a first time.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown."

Mr. *Lane* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

*Ordered*, That the Report of the Committee be received, and leave granted.

Adjourned until Twelve o'clock to-morrow.

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## THURSDAY, April 13th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

*Mr. Lane*,

*Mr. Haviland*,

*Mr. Attorney General*,

HON. *Mr. Brecken*,

*Mr. Smith*,

*Mr. Goodman*.

PRAYERS.

**R**EAD the proceedings of yesterday.

Read a second time, the Bill intituled "An Act to empower the Inhabitants of Charlotetown to Assess themselves, for the purpose of purchasing or vesting Sites for Engine Houses, and for erecting such Houses thereon."

Read a second time, the Bill intituled "An Act for levying an Assessment on all Lands in this Island."

On motion, the amendments made by the House of Assembly, to the amendments of the Council, to the Bill intituled "An Act to Incorporate the Steam Mill Company of Charlotetown," were read a second time.

Adjourned until Twelve o'clock to-morrow.

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## FRIDAY, April 14th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Goodman*.

*Mr. Haviland*,

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of yesterday.

Adjourned until Twelve o'clock to-morrow.

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## SATURDAY, April 15th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Lane*,

HON. *Mr. Brecken*,

*Mr. Haviland*,

*Mr. Smith*,

*Mr. Attorney General*,

*Mr. Goodman*.

PRAYERS.

**R**EAD a third time, and passed, the Bill intituled "An Act for vesting all Estates and Property in this Island, occupied for the Ordnance service, in the principal Officers of His Majesty's Ordnance, and for granting certain powers to the said principal Officers," with the amendments.



*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly, for their concurrence.

On motion, the House resolved itself into a Committee of the whole, to take into consideration, the Bill intituled "An Act to empower the Inhabitants of Charlottetown to Assess themselves, for the purpose of purchasing or renting Sites for Engine Houses, and for erecting such Houses thereon."

Mr. *Goodman* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and they recommend to the House, that a Conference be desired with the House of Assembly, on the subject matter of the same.

*Ordered*, That the Report of the Committee be agreed to.

On motion, *Ordered*, that Mr. *Brecken* and Mr. *Goodman* be a Committee to manage the said Conference, to meet in the Committee Room instanter.

On motion, the House resolved itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act for regulating the Herring and Alewives' Fisheries."

Mr. *Smith* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and agreed to the same.

*Ordered*, That the Report of the Committee be agreed to.

On motion, the said Bill was read a third time, and passed.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them therewith.

On motion, *Ordered*, that this House do on Monday next, resolve itself into a Committee of the whole, to resume the consideration of the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown."

*Ordered*, That there be a call of the House on Monday next.

On motion, *Ordered*, that the Bill intituled "An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned*," be committed to a Committee of the whole House on Monday next.

On motion, the amendments made by the House of Assembly to the amendments of the Council, to the Bill intituled "An Act to Incorporate the Steam Mill Company of Charlottetown," were read a third time.

*Ordered*, That this House do agree to the same.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them that this House have agreed to their amendments.

A Message from the House of Assembly, by Mr. Palmer.

Mr. President,

The House of Assembly do agree to a present Conference, as is desired by the Legislative Council, on the subject matter of the Bill intituled "An Act to empower the Inhabitants of Charlottetown to Assess themselves, for the purpose of purchasing or renting sites for Engine Houses, and for erecting such Houses thereon," and have appointed Mr. Binns, Mr. Palmer, Mr. Macdonald and Mr. Pope a Committee to manage the same.

Thereupon the Committee went to the Conference, and having returned, reported that they had complied with the instructions given them by this House.

A Message from the House of Assembly, by Mr. Pope, with the following Bills agreed to, as amended by the Legislative Council, viz:

A Bill intituled "An Act to amend the several Acts of this Island, relating to Small Debts."

A Bill intituled "An Act to continue an Act for regulating the Weight and Quality of Bread within the Town and Royalty of Charlottetown."

Read a third time, and passed, the Bill intituled "An Act for the encouragement and support of District and other Schools, and to repeal the Acts formerly passed for that purpose," with the amendments.

*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly, for their concurrence.

On motion, *Ordered*, that the Bill intituled "An Act for levying an Assessuient on all Lands in this Island," be read a second time on Monday next.

Adjourned until Monday next at Eleven o'clock.

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**MONDAY, April 17th, 1837.**

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**READ** the proceedings of Saturday.

According to Order, the names were called over.

The Order of the Day, for the House in Committee on the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown," being read—the House accordingly resolved itself into said Committee.

Mr. Lane took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, with the following amendments, viz:

*Folio 1, line 16*—Strike out from the word 'that' to the word 'effect,' in the sixth line of the third folio, both inclusive, and insert—

'The Road which leads from Great George Street in Charlottetown, through the Common and Pasture Lots towards Princetown and Saint Eleanor's, has been erroneously laid off from the Southern Boundary line of Pasture Lot Number Two hundred and forty-eight, to the Southern Boundary line of Township Number Thirty-three.—And whereas, since such survey, part of the said erroneous line of road, viz: from the Southern Boundary line of said Pasture Lot Number Two hundred and forty-eight, to the Northern Boundary line of Pasture Lot Number Three hundred and ninety-four, hath been altered by order of the said Government of this Island, to its original and proper position, as defined and marked on the original Map or Plan of the said Royalty, kept in the office of the said Surveyor General, and public money and Statute labour expended and employed thereon.—And whereas it is deemed necessary, that the said part of the said Road so altered as aforesaid, should be confirmed and established as a Public Road, and provision be made for the continuance thereof, from the said Northern Boundary of Pasture Lot Number Three hundred and ninety-four, to the Old Road leading to Princetown and Saint Eleanor's, as aforesaid.'

*Folio 3, line 9*—Strike out from the word 'that,' to the word 'Act,' in the last line of the last folio, inclusive, and insert—

'The said new line of Road leading from the Southern Boundary line of Pasture Lot Number Two hundred and forty-eight, to the Northern Boundary line of Pasture Lot Number Three hundred and ninety-four, as the same is now used, shall be, and the same is hereby established and confirmed, as a Public Road, and it shall and may be lawful for the Commissioners of Highways for the District wherein the same is situate, and he is hereby authorized, at the expiration of one calendar month after the passing of this Act, to lay off and continue the said Road Sixty feet in breadth from the said Northern Boundary line of Pasture Lot Number Three hundred and ninety-four, diagonally, across Pasture Lots Numbers Four hundred and eleven, or Four hundred and twelve, or Four hundred and five, or Four hundred and six, (as the case may be) until the same meets the said Road leading to Princetown and Saint Eleanor's; and the same, where so laid off, shall be, and for ever remain and continue, a Public Road, to and for the use and benefit of the people of this Island.'

'And be it further enacted, That the site of the old line of Road from the Southern Boundary of Pasture Lot Number Two hundred and forty-eight, to the Northern Boundary Line of Pasture Lot Number Three hundred and ninety-four, shall be, and the same is hereby vested in the legal Owners of the several Pasture Lots through which the same runs, and it shall and may be lawful for them to shut up and enclose such parts thereof as shall run through their respective Lots as aforesaid.'

'Provided always, That nothing in this Act contained, shall extend, or be construed to extend, to determine the rights of the respective Owners or Occupiers of Pasture Lots on either side of the said old line of Road, or new or altered line of Road, as aforesaid.'

*In the Title*—Strike out from the word 'to,' to the word 'in,' and insert the words 'a Road.'

On motion, that the Report of the Committee be agreed to,  
The House divided:

## CONTENTS.

*The Chief Justice,*  
*Mr. Haviland,*  
*Mr. Brecken,*  
*Mr. Smith.*

## NON-CONTENTS.

*Mr. Lane,*  
*Mr. Attorney General,*  
*Mr. Goodman.*

And it passed in the affirmative.

Mr. *Wright* having retired before the division took place.

*Ordered,* That the said amendments be engrossed.

Pursuant to the Order of the Day, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned.*"

Mr. *Goodman* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and they recommend that a Conference be desired with the House of Assembly on the subject matter thereof.

*Ordered,* That the Report of the Committee be agreed to.

On motion, *Ordered,* that Mr. *Attorney General* and Mr. *Goodman*, be a Committee to manage the said Conference, to meet in the Committee Room to-morrow, at Twelve o'clock.

On motion, the Bill intituled "An Act for levying an Assessment on all Lands in this Island," was, according to order, read a second time.

On motion, the House resolved itself into a Committee of the whole, to take the same into consideration.

Mr. *Smith* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and they recommend that a Conference be desired with the House of Assembly on the subject matter of the same.

*Ordered,* That the Report of the Committee be agreed to.

*Ordered,* That Mr. *Haviland* and Mr. *Brecken* be a Committee to manage the said Conference, to meet in the Committee Room to-morrow at half-past Twelve o'clock.

On motion, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act for the Increase of the Revenue of this Island."

Mr. *Smith* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and they recommend that a Conference be desired with the House of Assembly on the subject matter thereof.

*Ordered*, That the Report of the Committee be agreed to.

*Ordered*, that Mr. *Smith* and Mr. *Goodman*, be a Committee to manage the said Conference, to meet in the Committee Room to-morrow, at One o'clock.

A Message from the House of Assembly, by Mr. M'Callum, with a Bill intituled "An Act to prohibit the Exportation of Grain, Meal and Potatoes, and for other purposes therein mentioned," to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

Adjourned until Eleven o'clock to-morrow.

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## TUESDAY, April 18th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of yesterday.

Read a third time, and passed, the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown," with the amendments.

*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly, for their concurrence.

Four Messages from the House of Assembly, by Mr. Palmer.

Mr. President,

The House of Assembly do agree to a Conference, as is desired by the Legislative Council on the Bill intituled "An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned*," and have appointed Mr. Green, Mr. Macdonald, Mr. M'Callum and Mr. Pope, a Committee to manage the said Conference.

Mr. President,

The House of Assembly do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled "An Act for levying an Assessment on all Lands in this Island," and have appointed Mr. Green, Mr. Pope, Mr. Macnutt and Mr. Nelson, a Committee to manage the said Conference.

Mr. President,

The House of Assembly do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled "An Act for the Increase of the Revenue of this Island," and have appointed Mr. M'Callum, Mr. Clark, Mr. Macdonald and Mr. Pope, a Committee to manage the said Conference.

And also,

Mr. President,

The House of Assembly desire a further Conference with the Legislative Council, on the Bill intituled "An Act to empower the Inhabitants of Charlottetown to Assess themselves, for the purpose of purchasing or renting Sites for Engine Houses, and for erecting such Houses thereon," and have appointed the same Committee who managed the former Conference, a Committee to manage this further Conference.

On motion, Ordered, that a further Conference be agreed to, as is desired by the House of Assembly, on the Bill intituled "An Act to empower the Inhabitants of Charlottetown to Assess themselves, for the purpose of purchasing or renting Sites for Engine Houses, and for erecting such Houses thereon," and that the same Committee who managed the former Conference do manage this further Conference, to meet in the Committee Room this day at half past One o'clock.

Ordered, That a Message be sent down to the House of Assembly, acquainting them therewith.

The Committee appointed to meet the Committee of the House of Assembly, on the Bill intituled "An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned,*" having gone to the Conference, and returned, reported, that they had complied with the instructions given them by this House.

The Committee appointed to meet the Committee of the House of Assembly, on the Bill intituled "An Act for levying an Assessment on all Lands in this Island," having gone to the Conference, and returned, reported that they had complied with the instructions given them by this House.

The Committee appointed to meet the Committee of the House of Assembly, on the Bill intituled "An Act for the Increase of the Revenue of this Island," having gone to the Conference, and returned, reported, that they had complied with the instructions given them by this House.

Read a second time, the Bill intituled "An Act to prohibit the Exportation of Grain, Meal and Potatoes, and for other purposes therein mentioned."

The Committee appointed to meet the Committee of the House of Assembly, on the Bill intituled "An Act to empower the Inhabitants of Charlottetown to Assess themselves,

for the purpose of purchasing or renting Sites for Engine Houses, and for erecting such Houses thereon,"—having gone to the Conference, and returned, reported the substance thereof.

Read a third time, and passed, the Bill intituled "An Act to empower the Inhabitants of Charlottetown to Assess themselves, for the purpose of purchasing or renting Sites for Engine Houses, and for erecting such Houses thereon."

*Ordered*, That the said Bill be sent down to the House of Assembly.

A Message from the House of Assembly, by Mr. Pope, with the following Bills, to which they desire the concurrence of the Legislative Council, viz:

A Bill intituled "An Act to authorize the appointment of a Coal Meter for Charlottetown."

Also,

A Bill intituled "An Act for appropriating certain Monies therein mentioned, for the service of the Year of our Lord One thousand eight hundred and thirty-seven."

Read the said Bills a first time.

On motion, the said Bills were read a second time.

A Message from the House of Assembly, by Mr. Pope.

In the House of Assembly, Tuesday, April 18th, 1837.

Resolved, That an humble Address be presented to His Majesty on the subject matter of a Circular Despatch from the Right Honorable Lord Glenelg, His Majesty's Principal Secretary of State for the Colonial Department, of date 31st August, 1836, relative to measures which have been adopted by various Colonial Legislatures, for revising and altering the Rates at which different Coins should pass current, and be a legal tender, with reference to local Monies of account, and that the Legislative Council be requested, by Message, to join in the said Address.

*Ordered*, That Mr. Pope, Mr. Macdonald, Mr. Palmer, Mr. Green, Mr. Binns and Mr. M'Callum, be a Committee on the part of this House to prepare the said Address.

*Ordered*, That a copy of the foregoing Resolution be communicated to the Legislative Council.

Resolved, that this House doth concur with the House of Assembly on the expediency of presenting the proposed Address to His Majesty.

*Ordered*, That Mr. Haviland, Mr. Brecken and Mr. Smith be a Committee on the part of this House to prepare the said Address.

*Ordered*, That a copy of the foregoing Resolution be communicated by Message to the House of Assembly.

Adjourned until Eleven o'clock to-morrow.

## WEDNESDAY, April 19th, 1837.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

PRAYERS.

**R**EAD the proceedings of yesterday.

On motion, the House resolved itself into a Committee of the whole, to take into consideration the Bill intituled "An Act to prohibit the Exportation of Grain, Meal and Potatoes, and for other purposes therein mentioned."

*Mr. Haviland* took the Chair.

After some time, the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had agreed to the same, with the following amendments, viz:

*Folio 1, line 6*—After the word 'Grain,' insert 'Meal.'

*Same folio, line 20*—Strike out the words 'Oatmeal or,' and after the word 'Potatoes,' insert 'Flour or 'Meal of any sort.'

*Folio 6, line 16*—Strike out from the word 'wetted' to the word 'malted,' in the Eighteenth line, both words inclusive, and insert 'Corn or Grain so wetted or malted as aforesaid.'

*Folio 7, line 18*—After the word 'Malt,' insert 'as aforesaid.'

*Ordered*, That the Report of the Committee be agreed to, and that the amendments be engrossed.

Read a third time, and passed, the Bill intituled "An Act to authorize the appointment of a Coal Meter for Charlottetown."

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them therewith.

Read a third time, and passed, the Bill intituled "An Act for appropriating certain Monies therein mentioned, for the service of the Year of our Lord One thousand eight hundred and thirty-seven."

*Ordered*, That the said Bill be sent down to the House of Assembly.

A Message from the House of Assembly, by *Mr. Pope*, with the Bill intituled "An Act to enable the Proprietors or Shareholders of a Company called *The Bank of British North America*, to sue and be sued in the name of any one of the Local Directors, or of the Manager or Agent for the time being, of the said Company in this Island," agreed to, as amended by the Legislative Council.



Also, with the following written Messages:

Mr. President,

The House of Assembly desire a further Conference with the Legislative Council, on the Bill intituled "An Act for levying an Assessment on all Lands in this Island;" and have appointed the same Committee who managed the last Conference a Committee to manage this further Conference.

Mr. President,

The House of Assembly desire a further Conference, with the Legislative Council, on the Bill intituled "An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned;*" and have appointed the same Committee who managed the last Conference a Committee to manage this further Conference.

Mr. President,

The House of Assembly desire a further Conference with the Legislative Council, on the Bill intituled "An Act for the Increase of the Revenue of this Island;" and have appointed the same Committee who managed the last Conference a Committee to manage this further Conference.

On motion, Ordered, that this House do agree to a further Conference, as is desired by the House of Assembly, on the Bill intituled "An Act for levying an Assessment on all Lands in this Island."

Ordered, That the same Committee who managed the former Conference be a Committee to manage this further Conference, to meet in the Committee Room instanter.

Ordered, That a Message be sent down to the House of Assembly, acquainting them therewith.

On motion, Ordered, that a further Conference be agreed to, as is desired by the House of Assembly, on the Bill intituled "An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned.*"

Ordered, That the same Committee who managed the former Conference be a Committee to manage this further Conference, to meet in the Committee Room at half past Two o'clock.

Ordered, That a Message be sent down to the House of Assembly, acquainting them therewith.

On motion, Ordered, That this House do agree to a further Conference, as is desired by the House of Assembly, on the Bill intituled "An Act for the Increase of the Revenue of this Island."

Ordered, That the same Committee who managed the former Conference, be a Committee to manage this further Conference, to meet in the Committee Room at Three o'clock.

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them therewith.

Read a third time, and passed, the Bill intituled "An Act to prohibit the Exportation of Grain, Meal and Potatoes, and for other purposes therein mentioned," with the amendments.

*Ordered*, That the said Bill, with the amendments, be sent down to the House of Assembly, for their concurrence.

The Committee appointed to meet the Committee of the House of Assembly, on the Bill intituled "An Act for levying an Assessment on all Lands in this Island," having gone to the Conference, and returned, reported the substance thereof.

The Committee appointed to meet the Committee of the House of Assembly, on the Bill intituled "An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned*," having gone to the Conference, and returned, reported the substance thereof.

The Committee appointed to meet the Committee of the House of Assembly, on the Bill intituled "An Act for the Increase of the Revenue of this Island," having gone to the Conference, and returned, reported the substance thereof.

On motion, the Bill intituled "An Act for levying an Assessment on all Lands in this Island," was read a third time.

On motion, that the said Bill do pass, the question being put, it passed in the affirmative.

*Ordered*, That the said Bill be sent down to the House of Assembly.

Read a third time, and passed, the Bill intituled "An Act for the Increase of the Revenue of this Island."

*Ordered*, That the said Bill be sent down to the House of Assembly.

Read a third time, and passed, the Bill intituled "An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned*."

*Ordered*, That a Message be sent down to the House of Assembly, acquainting them therewith.

Adjourned until Eleven o'clock to-morrow.

**THURSDAY, April 20th, 1837.**

The Council met, pursuant to adjournment.

**PRESENT:**

The Honorable *Chief Justice Jarvis*, President;

HON. *Mr. Wright*,

HON. *Mr. Brecken*,

*Mr. Lane*,

*Mr. Smith*,

*Mr. Haviland*,

*Mr. Goodman*.

*Mr. Attorney General*,

**PRAYERS.**

**R**EAD the proceedings of yesterday.

A Message from the House of Assembly, by Mr. M'Callum, with the following Bills, agreed to, as amended by the Legislative Council, viz:

A Bill, intituled "An Act for vesting all Estates and Property in this Island, belonging to or occupied for the Ordnance service, in the principal Officers of His Majesty's Ordnance, and for granting certain powers to the said principal Officers."

A Bill intituled "An Act to prohibit the Exportation of Grain, Meal and Potatoes, and for other purposes therein mentioned."

A Bill intituled "An Act for the encouragement and support of District and other Schools, and to repeal the Acts formerly passed for that purpose."

On motion, Ordered, that the Deputy Clerk of this House be directed to prepare an Index to the Journals of the Council of the present Session.

*Mr. Haviland*, from the joint Committee of the Council and Assembly, appointed to prepare an Address to His Majesty, praying that the restrictions contained in the Right Honorable Lord Glenelg's Circular Despatch, of 31st August, 1836, upon the adoption of measures for revising and altering the Rates at which different Coins should pass current in the Colonies, and be a legal tender, be removed, as far as the same regards this Colony, reported an Address, which was read and agreed to by the House, and is as follows, viz:

**TO THE KING'S MOST EXCELLENT MAJESTY.**

The humble Address of the Legislative Council and Assembly of Prince Edward Island.

May it please Your Majesty;

We your Majesty's faithful subjects the Legislative Council and Assembly of Prince Edward Island, beg leave humbly to represent to Your Majesty, that we have had brought under our consideration a Circular Despatch received by His Excellency the Lieutenant Governor from the Right Honorable Lord Glenelg, Your Majesty's Secretary of State for the Colonial Department, restricting His Excellency from permitting any Act, or Ordinance, or Proclamation or Regulation, to come into operation in this Colony, relating to the local Currency and circulating medium, or to the rates at which coins should pass current or be a legal tender, or to the circulation of promissory Notes or other paper, either by the local government or by any corporate bodies or individuals, without having first received Your Majesty's sanction conveyed to him by Your Majesty's Secretary of State.'

As we humbly conceive that these restrictions are meant solely to apply to cases which interfere with arrangements connected with the military chest, and to the collection of duties imposed by Acts of the Imperial Parliament; and there being no transactions in this Colony which can have any reference to payments made from or on account of the military chest; and the several duties raised or imposed by Acts of the Imperial Parliament being made payable in British coins, or in Dollars at their fixed Sterling value respectively, the continuance of such restrictions on the local transactions of this Colony cannot be attended with any beneficial results to the parent government.

We would therefore urge, that the operation of these restrictions will prove most prejudicial to the prosperity of this young and rising Colony, where the want of a sufficient circulating medium has long been severely felt, and which can only be obviated by the establishment of responsible institutions, capable of supplying the deficiency.

We would also beg leave to express our conviction, that in no part of Your Majesty's North American Dominions are such institutions more indispensably necessary than in this Colony, to promote the development of those resources which it so eminently possesses, both as regards its agricultural capabilities and the inexhaustible source of wealth which the fisheries in its vicinity are calculated to yield.

May it therefore please your Majesty, to cause the restrictions alluded to, to be removed, as far as regards this Colony.

*Ordered*, That the said Address be engrossed.

A Message from the House of Assembly, by Mr. Pope.

“ In the House of Assembly, 20th April, 1837.

“ Resolved, That a Committee be appointed to join a Committee of the Legislative Council, for the purpose of preparing and reporting the draught of an Address to His Excellency the Lieutenant Governor, praying that he will be pleased to transmit to His Majesty's Ministers the joint Address of the Council and Assembly to His Majesty, on the subject matter of the Right Honorable Lord Glenelg's Circular Despatch, relative to local Moneys of Account, for the purpose of being laid at the foot of the Throne.

“ *Ordered*, That Mr. Pope, Mr. Macdonald, Mr. Palmer, Mr. Binns and Mr. M'Callum, be a Committee for that purpose.

“ *Ordered*, That the foregoing Resolution be communicated by Message to the Legislative Council.”

Resolved, That a Committee be appointed, to join the Committee of the House of Assembly, for the purpose of preparing and reporting the draught of an Address to His Excellency the Lieutenant Governor, praying that he will be pleased to transmit to His Majesty's Ministers the joint Address of the Council and Assembly to His Majesty, on the subject matter of the Right Honorable Lord Glenelg's Circular Despatch, relative to local Moneys of Account.

*Ordered*, That Mr. Haviland, Mr. Brecken and Mr. Smith be a Committee for that purpose.

*Ordered*, That the foregoing Resolution be communicated by Message to the House of Assembly.

The House having taken into consideration the Incidental Expenses of the present Session, allowed the same as follows, viz:

On motion, that the Rev. Louis C. Jenkins be allowed the sum of Thirty Pounds, for services as Chaplain—

It was moved as an amendment, that he be allowed the sum of Twenty Pounds.

The House divided on the amendment:

CONTENTS.  
*The Chief Justice,*  
*Mr. Wright,*  
*Mr. Lane,*  
*Mr. Haviland,*  
*Mr. Brecken.*

NON-CONTENTS.  
*Mr. Attorney General,*  
*Mr. Smith,*  
*Mr. Goodman.*

And it passed in the affirmative.

To John C. Wright, Esq. Usher of the Black Rod,	- - - - -	£30 0 0
Clerk of Council, including Stationery,	- - - - -	124 1 4
John Rider, Messenger, including sundry disbursements,	- - - - -	49 17 4
Moses Hayes, Doorkeeper,	- - - - -	24 1 0

A Message from the House of Assembly, by Mr. Pope.

Mr. President,

The House of Assembly desire a Conference with the Legislative Council, on the subject matter of the amendments to the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown;" and have appointed Mr. Pope, Mr. Clark, Mr. Binns and Mr. Nelson, a Committee to manage the said Conference.

On motion, Ordered, that a Conference be agreed to, as is desired by the House of Assembly, on the subject matter of the amendments to the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown."

Ordered, That Mr. Brecken and Mr. Goodman be a Committee to manage the said Conference, to meet in the Committee Room instanter.

Ordered, That a Message be sent down to the House of Assembly, acquainting them therewith.

Thereupon the Committee went to the Conference, and having returned, reported, that they had met the Committee of the House of Assembly, who were directed to submit the following amendments to the amendments made by the Council to the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown;" and the same were read, and are as follow, viz:

Folio 1, line 3—Strike out from the commencement of the Preamble to the word 'Act,' in the last line of the last folio, inclusive, and insert—

' Whereas a survey of all the Roads which ought to run through the Royalty of Charlottetown, hath lately been made by His Majesty's Surveyor General of Lands for this Colony, by order of the Government thereof, and the Plan of such survey hath been made, and is kept in the office of the said Surveyor General, at Charlottetown; and it appears by the said Plan that the Road which leads from Great George Street in Charlottetown, through the Common and Pasture Lots towards Princetown and Saint Eleanor's, has been erroneously laid off, from the Southern Boundary line of Pasture Lot Number Two hundred and forty-eight, to the Southern Boundary line of Township Number Thirty-three.—And whereas, since such Survey, part of the said erroneous line of road, viz: from the Southern Boundary line of said Pasture Lot Number Two hundred and forty-eight, to the Northern Boundary line of Pasture Lot Number Three hundred and ninety-four, hath been altered by order of the said Government of this Island, to its original and proper position,

‘ as defined and marked on the original Map or Plan of the said Royalty, kept in the office of the said Surveyor General, and public money and Statute labour expended and employed thereon.—And whereas it is deemed necessary, that the said part of the said Road so altered as aforesaid, should be confirmed and established as a Public Road, and provision be made for the continuance thereof, from the said Northern Boundary of Pasture Lot Number Three hundred and ninety-four, to the Old Road leading to Princetown and Saint Eleanor’s, as aforesaid.—Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, that the said new line of Road leading from the Southern Boundary line of Pasture Lot Number Two hundred and forty-eight, to the Northern Boundary line of Pasture Lot Number Three hundred and ninety-four, as the same is now used, shall be, and the same is hereby established and confirmed as a Public Road; and it shall and may be lawful for the Commissioner of Highways for the District wherein the same is situate, and he is hereby authorized, at the expiration of one calendar month after the passing of this Act, to lay off and continue the said Road Sixty feet in breadth, from the said Northern Boundary line of Pasture Lot Number Three hundred and ninety-four, to the Southern Boundary line of Township Number Thirty-three, and from thence through the said Township until it shall join the present Road, being a distance from the said Boundary line of Ten Chains or thereabouts, as by reference to the said Plan will more fully appear; and the same, where so laid off, shall be, and for ever remain and continue, a Public Road, to and for the use and benefit of the people of this Island.’

*In the Title*—Strike out ‘ the Roads,’ and insert the words ‘ a certain Road,’ instead thereof.

On motion, that this House do concur with the House of Assembly, in the said amendments—

The House divided:

CONTENTS.

*The Chief Justice,*  
*Mr. Haviland,*  
*Mr. Attorney General,*  
*Mr. Brecken,*  
*Mr. Goodman.*

NON-CONTENT.

*Mr. Smith.*

And it passed in the affirmative.

On motion, Ordered, that a further Conference be desired with the House of Assembly, on the subject matter of the last Conference.

Ordered, That the same Committee who managed the last Conference be a Committee to manage this further Conference, to meet in the Committee Room instanter.

A Message from the House of Assembly, by Mr. Pope.

Mr. President,

The House of Assembly do agree to a further Conference, as is desired by the Legislative Council on the subject matter of the last Conference—and have appointed the same Committee who managed the last Conference a Committee to manage this further Conference.

On motion, Ordered, that the Committee of this House be directed to state to the Committee of the House of Assembly, that this House doth concur with the House of Assembly

in the amendments made by that House to the amendments made by the Council to the Bill intituled "An Act relating to the Roads in the Royalty of Charlottetown."

Thereupon the Committee went to the Conference, and having returned, reported, that they had complied with the instructions given them by this House.

A Message from the House of Assembly, by Mr. Pope, with the Bill intituled "An Act relating to a certain Road in the Royalty of Charlottetown," agreed to, as amended in Conference.

On motion, the said Bill, as amended, was read a third time.

On motion, that the said Bill do pass, the House divided:

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*The Chief Justice,*  
*Mr. Haviland,*  
*Mr. Attorney General,*  
*Mr. Brecken,*  
*Mr. Goodman.*

NON-CONTENT.

*Mr. Smith.*

And it passed in the affirmative.

*Mr. Haviland*, from the joint Committee of the Council and Assembly, appointed to prepare an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to transmit to His Majesty's Ministers, the joint Address of the Council and Assembly to His Majesty, on the subject matter of Lord Glenelg's Circular Despatch, relative to the Local Currency of the Colonies, presented to the House an Address, as prepared by the Committee, and the same was read, and is as followeth, viz:

To His Excellency Major-General Sir JOHN HARVEY, K. C. H. and C. B., Lieutenant Governor and Commander in Chief in and over His Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

The Joint Address of the Legislative Council and House of Assembly of Prince Edward Island.

*May it please your Excellency;*

The Legislative Council and House of Assembly having agreed to a Joint Address to His Majesty, praying that His Majesty may be graciously pleased to remove those restrictions which prevent your Excellency from giving your assent to any act or ordinance, or proclamation or regulation, relating to the local currency and circulating medium, or to the circulation of Promissory Notes or other paper by any corporate bodies or individuals, without first receiving His Majesty's sanction—respectfully request that your Excellency will be pleased to transmit the same, and use your influence to obtain for this Colony the object prayed for in the said Address.

*Ordered*, That the said Address be agreed to.

A Message from the House of Assembly, by Mr. Pope.

Mr. President,

The House of Assembly have appointed Mr. Pope, Mr. Macdonald, Mr. Palmer, Mr. Binns and Mr. M'Callum, a Committee, to join a Committee of the Council, to wait upon His Excellency the Lieutenant Governor with the Address, praying that he will be pleased to forward to the proper quarter, the joint Address of the Council and Assembly to His Majesty, relative to the Right Honorable Lord Glenelg's Circular Despatch of the 31st August, 1836.

On motion, Ordered, that a Committee be appointed to join the Committee of the House of Assembly, to wait upon His Excellency the Lieutenant Governor with the said Address.

*Ordered*, That Mr. Haviland, Mr. Brecken and Mr. Smith be a Committee for that purpose; who returning, reported that they had waited on His Excellency, and that he was pleased to say he would have much satisfaction in complying with the desire of the Council and Assembly.

His Excellency the Lieutenant Governor having come to the Council Chamber, and being seated, the Gentleman Usher of the Black Rod received His Excellency's commands to desire the immediate attendance of the House of Assembly in the Council Chamber.

The House of Assembly, with their Speaker, attended accordingly, when His Excellency was pleased to give his assent to the following Bills, viz:

*An Act for establishing the Standard weight of Grain and Pulse, and for the appointment of Officers for measuring and weighing the same.*

*An Act to continue an Act for regulating the weight and quality of Bread within the Town and Royalty of Charlottetown.*

*An Act for granting Patents for useful Inventions.*

*An Act for the appointment of Harbour and Ballast Masters, and for more effectually preventing the throwing of Ballast into Harbours and Navigable Rivers.*

*An Act relating to the Titles to Lands acquired under Deed from Sheriffs or Coroners.*

*An Act relating to Merchant Seamen of this Island.*

*An Act to repeal the Laws now in force for regulating Pounds, and to make more effectual provision in lieu thereof.*

*An Act to confirm certain Sales of Lands and Tenement made under the Act of the Legislature of this Island, enabling Creditors to recover their just Debts out of the effects of their Absent or Absconding Debtors.*

*An Act to continue and amend the Act for more effectually preventing the spreading of Infectious Distempers within this Island.*

*An Act for consolidating and amending the Act for the appointment of Limits and Rules for the Jail of Charlottetown, and the Act for regulating the Jails in King's and Prince Counties.*

*An Act to repeal certain parts of an Act intituled "An Act for the Limitation of Actions and for avoiding Law Suits," so far as the same relate to Actions concerning Real Estate, and to make other provisions in lieu thereof.*

*An Act to regulate the duties and charges of Pilots, and to repeal the Acts formerly passed for that purpose.*

*An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County.*

*An Act to prevent the running at large of Horses within the Streets and Squares of Charlottetown in the Winter season.*

*An Act to incorporate the Steam Mill Company of Charlottetown.*

*An Act to amend the several Acts of this Island relating to Small Debts.*

*An Act for vesting all estates and property in this Island belonging to or occupied for the Ordnance service, in the principal Officers of His Majesty's Ordnance, and for granting certain powers to the said principal Officers.*

*An Act for vacating the Seats of Members of the Assembly in certain cases therein mentioned, and to repeal a certain Act heretofore passed for that purpose.*

*An Act to explain and amend an Act passed in the Fourth year of His present Majesty's Reign, intituled "An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and parts of Townships, and for regulating the duty of Surveyors, and to repeal a certain Act therein mentioned."*



*An Act to enable the Proprietors or Shareholders of a Company called "The Bank of British North America," to sue and be sued in the name of any one of the local Directors, or of the Manager or Agent for the time being of the said Company in this Island.*

*An Act for regulating the Herring and Alewives Fisheries.*

*An Act to prohibit the Exportation of Grain, Meal and Potatoes, and for other purposes therein mentioned.*

*An Act to authorize the appointment of a Coal Meter for Charlottetown.*

*An Act relating to a certain Road in the Royalty of Charlottetown.*

After which the Speaker of the House of Assembly addressed His Excellency as follows—

May it please your Excellency;

It now becomes my duty, in the name and on behalf of His Majesty's dutiful and loyal subjects the Commons of Prince Edward Island, to present, for your Excellency's assent, the several Bills of Aid which have been granted this Session for the support of His Majesty's Provincial Government for the present year; and the liberality with which the necessary supplies have been granted—the harmony which has subsisted between the different branches of the Legislature, and the unanimity with which in general the business of the Session has been conducted, will, I trust, afford conclusive evidence of their desire to advance the best interests of the Colony now entrusted to your Excellency's administration.

I cannot omit the present opportunity of expressing, in the name of the House of Assembly, their sincere thanks for the ready attention which has been uniformly bestowed by your Excellency to the numerous representations which, in the performance of their public duty, they have deemed it expedient to submit for your Excellency's consideration—and I beg to assure your Excellency, at the termination of this protracted Session, that they entertain a due sense of the value of your zealous and enlightened endeavours to promote the public welfare.

And then Mr. Speaker presented the following Bills, viz:

*An Act for the encouragement and support of District and other Schools, and to repeal the Act formerly passed for that purpose.*

*An Act to explain and amend two several Acts of the General Assembly therein mentioned, for raising a Fund by an Assessment on Land.*

*An Act to continue for one year an Act passed in the Fifth year of His present Majesty's Reign, providing for the payment of Interest on Warrants.*

*An Act to empower the Inhabitants of Charlottetown to assess themselves, for the purpose of purchasing or renting Sites for Engine Houses, and for erecting such Buildings thereon.*

*An Act for levying an Assessment on all Lands in this Island.*

*An Act for the increase of the Revenue of this Island.*

*An Act for appropriating certain Moneys therein mentioned, for the service of the Year of our Lord One thousand eight hundred and thirty-seven.*

To each of which, His Excellency was pleased, in His Majesty's name, to signify his assent.

And then His Excellency was pleased to make the following Speech to both Houses:

*Mr. President, and Gentlemen of His Majesty's Council;*

*Mr. Speaker, and Gentlemen of the House of Assembly;*

The business of the Session having been brought to a conclusion, it only remains for me to release you from further attendance upon your Legislative duties. In doing this, I feel myself called upon to express to you my warmest acknowledgments for the cordial co-operation which I have invariably experienced, and for the prompt attention with which all my suggestions and recommendations have been received by you respectively—and as regards your intercommunication with each other, the zeal, harmony and unanimity with which you have acted together for the common good, has been most gratifying to me to witness, and permit me to add, most advantageous to the public interests.

*Mr. Speaker, and Gentlemen of the House of Assembly;*

I thank you in His Majesty's name for the liberality of the Supplies which you have voted for the public service generally, and more especially, for the extensive relief which you have enabled the Executive Government to afford to the necessitous settlers, both in food and seed—and the more so, as this measure has been adopted in opposition to a principle, of the soundness of which no one can be more convinced than myself, having so long witnessed in another Colony the direct tendency of such aid to encourage careless Husbandry, and actually to operate as a premium upon improvidence.—I am satisfied that no such result is to be apprehended among the frugal and industrious settlers of this Island, and I advert to it only to shew the extent of the obligation which your liberality has imposed upon them.

In concluding what I have separately to address to you, I beg to offer you my tribute of applause for the firmness with which you have vindicated the loyalty of the Colony, and have advocated and asserted those sound constitutional principles, upon the due maintenance of which, its peace, good order and prosperity wholly depend—That peace, that good order, and that prosperity, it has been my most anxious desire and my unceasing object to promote by every means within my power—and I do not doubt that you will continue to co-operate with me by doing what may depend upon your influence, authority and example, to maintain this desirable state of things in your respective districts.

*Mr. President, and Gentlemen of His Majesty's Council;*

*Mr. Speaker, and Gentlemen of the House of Assembly;*

I will not detain you by recapitulating the measures of public utility which your labours have perfected during the present Session, and which have been and are about to be placed upon the Statute Book of the Colony; of which the most prominent have for their objects—the relief of the distressed settlers—the improvement of the internal communications of the Island—the education of its youth—the security of its public records—and the increase of its revenues—objects which cannot but satisfy the Inhabitants of the Island at large, that you have been zealously employed for their good. For myself, whether I remain amongst you or am called elsewhere by the commands of our gracious Sovereign, the happiness and prosperity of the inhabitants of this Island will never cease to be regarded by me with a degree of interest which has been greatly enhanced by the manner in which I have been received in it, and by the confidence which has been so liberally reposed in me by its Legislative Bodies.

After which the President of the Council said—

Gentlemen;

It is the will and pleasure of His Excellency the Lieutenant Governor, that this General Assembly be prorogued until Thursday the First day of June next; and this General Assembly is accordingly prorogued until Thursday the First day of June next.

# APPENDIX

TO THE

# JOURNAL.

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[SEE PAGE 22.]

Award of the Commissioners severally appointed by the Provinces of Lower Canada, New Brunswick, Nova Scotia and Prince Edward Island, with respect to the proposed Light Houses on the Islands of Scatari and Saint Paul.

HIS MAJESTY'S Government having announced, through the Right Honorable Lord Glenelg, His Majesty's Principal Secretary of State for the Colonies, their disposition to render less dangerous the navigation of the Gulph of Saint Lawrence, by erecting Light Houses upon the Islands of Saint Paul and Scatari, off the coast of Cape Breton, at the expense of Government, provided the Colonies, whose trade will be benefitted, engage to defray the expenses of their future maintenance; and having brought the subject under the consideration of the respective Legislatures of Lower Canada, New Brunswick, Nova Scotia and Prince Edward Island, for the purpose of obtaining a commission of arbitration appointed by them, with power of adopting a final award as to the site, structure and apportionment of the annual expenses of such Light Houses, or any arrangement better adapted to the exigencies of the case: and whereas such proceedings were adopted thereon, that the Legislature of Lower Canada, after maturely considering the subject thus referred to them, passed an Act or Statute, whereby Augusten Norbet Morin, Esq. (or in case of his sickness, or any other impediment, such other person as should be appointed by the Governor, or person administering the Government,) is constituted a Commissioner on the part of the Province of Lower Canada, for the purpose of determining and deciding, jointly with the Commissioners appointed for the same purpose by the Provinces of Nova Scotia, New Brunswick and Prince Edward Island, with respect to the most fit sites for the proposed Light Houses, and the sums of money required for the erection of the same, as well as for their future support after they shall have been erected; and to determine under what management and controul the yearly expenses of the said Light Houses ought to be placed; and to apportion the sum of money which the Province of Lower Canada ought to contribute annually toward the maintenance of the said Light Houses, according to the Tonnage of Vessels trading to or from that Province, as compared to the tonnage of vessels trading to and from the other Provinces above mentioned, and to the benefit which each Province respectively may be expected to derive from the said Light Houses, and to report his doings and proceedings to the Three Branches of the Legislature of the said Province, within the first Fifteen days of the Session next after the time when the business assigned to him shall be brought to a close.

And the House of Assembly of the Province of New Brunswick proceeded to the consideration of the subject on the Tenth day of March last, and Resolved, that measures should be adopted to ascertain the number, proper sites, and description of Lights, which it might be necessary to erect on Saint Paul's Island, in order to afford sufficient protection to Vessels passing that Island; and further, if two good and sufficient Light Houses, with Bells and Guns, should be erected in proper situations, and maintained by the Board of Commission in Nova Scotia, on the Island of Saint Paul; and also, one Light House on Scatari Island; and if the establishment at present on Saint Paul's Island, for the preservation and comfort of shipwrecked persons, be also continued and maintained by the said Board of Commission of Nova Scotia—then the said Province of New Brunswick would contribute and pay towards the same, the annual sum of Two hundred and fifty Rounds: and the said House of Assembly did afterwards, on the Fourteenth day of the same month,

renew the consideration of the subject, and after reciting the humane and benevolent solicitude of His Majesty's Government for the welfare and prosperity of His Majesty's North American Colonies, and the disposition of the House to meet the liberal and humane purpose of the Government, by pledging itself to contribute the sum of Two hundred and fifty Pounds annually towards the maintenance of Light Houses on the above mentioned Islands, and expressing a confident hope that the Canadas, Nova Scotia and Prince Edward Island would contribute such further sums as might be necessary for the maintenance of such Light Houses, and that the same might in consequence be erected in the course of the ensuing Summer; and that it was expedient that persons should be appointed, to whom might be communicated during the recess, such information relative to the erection of such Light Houses as His Excellency the Lieutenant Governor might receive from His Majesty's Government or the Sister Colonies—Resolved, that the Honorable Joseph Cunard, Alexander Rankin and William Abrams, should be a Committee to receive all such communications as His Excellency the Lieutenant Governor might think necessary to transmit to them during the recess, with a view to every facility being given to the erection of those Light Houses, so necessary to the protection of commerce and the cause of humanity.

And the Legislature of the Province of Nova Scotia, after mature consideration, did, on the Fourth day of April last, pass an Act or Statute, whereby it is lawful for the Governor, Lieutenant Governor, or Commander in Chief for the time being, to appoint one or more Commissioners, to be joined with Commissioners appointed by the Governors of the Provinces of Lower Canada and New Brunswick, or their respective Legislatures, to ascertain and define the most fit sites for Light Houses on said Islands, the most efficient structure for the same, and to ascertain and report the sums of money required for the erection of the same, as well as for their future support, and to apportion the sum of money which each Province shall contribute annually towards the maintenance of such Light Houses: and it is further enacted by the said Statute, that all reports and statements shall be made and returned by the said Commissioners to the Secretary of the Province for the information of the Governor and Legislature of the Province; and His Excellency Major General Sir Colin Campbell, K. C. B., Lieutenant Governor and Commander in Chief in and over the Province of Nova Scotia, did, by his Commission under his hand and seal, dated the Seventh day of May last, nominate the Honorable Samuel Cunard, of Halifax, and Edmund Murray Dodd, of Sydney, Cape Breton, Esq. Commissioners, to carry into effect the said Act, in the most full and ample manner.

And the Legislature of Prince Edward Island also considered the subject, and passed an Act or Statute, authorising the Lieutenant Governor, or person administering the Government, to nominate one Commissioner to meet those appointed by the other Colonies, for the purpose of defining the most eligible sites for said Light Houses, the mode of structure, and apportionment of the annual contribution for the maintenance and support.—In pursuance of which, the Honorable George Wright, the President and Administrator of the Government of Prince Edward Island, did, by his Commission, duly executed, constitute Thomas Owen, Esq. a Commissioner, for the purposes in said Act expressed, and to carry the same into effect.

And the said Commissioners having mutually produced and shewn their powers, and having assumed and taken upon themselves the charge of Award and Arbitrament on the foregoing subject, and several of said Commissioners having visited said Islands of St. Paul and Scatari, and having heard and considered the testimony of skilful and intelligent persons experienced in maritime pursuits, and conversant with the dangers of navigating the Gulph of St. Lawrence, the Coast of Cape Breton, and the adjacent Seas, and the means of diminishing the same; and having also examined persons extensively engaged in Colonial commerce, and ascertained the relative tonnage owned in said Colonies, have agreed on and concluded this Award, Arbitration and Judgment, as follows:

*First.*—That the superintendence of building Light Houses on the Islands of Saint Paul and Scatari, shall be vested, as recommended by the Right Honorable Lord Glenelg, in the Board of Commissioners, appointed by the Government of Nova Scotia.

*Second.*—That two good and sufficient Light Houses, with Bells and Guns, shall be erected on Saint Paul's Island, at the extreme points, so as to be conspicuous on entering and leaving the Gulph of Saint Lawrence: and the Light House on the Island of Scatari shall be erected on the East point of said Island, which is about thirty feet above the level of the Sea.

*Third.*—That the Light Houses on Saint Paul's Island should be of suitable elevation, and constructed on such principles, and with such further additions and appendages, as may render them useful and conspicuous in a foggy atmosphere, with Keeper's House, Stores and Store Houses, with frost proof Cellars, to preserve

provisions for the relief of shipwrecked persons, detached from the Light Houses. That the establishment on the Island of Scatari should consist of one Light House, with Revolving Lights, to distinguish it from others on the coast; with a Keeper's House, Warehouse and Cellars, similar to those recommended for Saint Paul—subject, however, to any improved mode of constructing such Lights, as the said Board of Commissioners may think fit to adopt.

*Fourth.*—As the proposed Light Houses will stand on exposed and prominent situations, and be approached by all Vessels entering the Saint Lawrence, they ought to be of substantial and improved construction, no correct judgment of the probable expense of erecting the Lights can be formed, without procuring Plans and Estimates, owing to the variety of materials which might be employed in the construction of the Buildings, and the numerous additions and improvements which it may be thought advisable to adopt—it is therefore recommended, that the whole duty of fixing upon the materials to be employed, and the plans to be adopted for the Lights, be left to the discretion of such persons as may be charged with the superintendence of their erection. That the establishment of Saint Paul's will require One Superintendent, and Six other persons under his direction, with Boats and a continued supply of Provisions, Clothing, Bedding, Fuel, &c. for the use and assistance of shipwrecked persons: and that the establishment at Scatari shall consist of One Superintendent and three other persons, with a Boat and a continued supply of Provisions, Clothing, Bedding, Fuel, &c. for the use and assistance of shipwrecked persons: that all the Lights shall be kept burning throughout the year.

As to the maintenance of the said Lights and humane establishments, it will be apportioned and borne as follows (that is to say)—

*First.*—New Brunswick shall pay to the Government of Nova Scotia, into the Treasury thereof, Two hundred and fifty Pounds, Halifax Currency, on the First day of July in each and every year after the said Light Houses and humane establishments shall be in operation, and as long as they continue to be so, in conformity with the provisions of this award.

*Second.*—Lower Canada shall pay to the Government of Nova Scotia, into the Treasury thereof, Five hundred Pounds, Halifax Currency, on the First day of July of the first year after the said Light Houses and humane establishments are in operation, and then at the same period in every year, as long as they shall continue to be so, a proportionate part of a sum, which, added to the unexpended balance (if any) remaining from the preceding year, (New Brunswick in this respect being considered as having contributed the same amount as Nova Scotia) as shall amount to a sum of One thousand and thirty Pounds Currency.

*Third.*—Prince Edward Island shall, in like manner, pay to the Government of Nova Scotia, into the Treasury thereof, Thirty Pounds, Halifax Currency, on the First day of July of the first year after the said Light Houses and humane establishments are in operation, and then at the same period in every year, as long as they continue to be so, a proportionate part of a sum, which, added to unexpended balance (if any) remaining from the preceding year, (New Brunswick being in this respect considered as having contributed the same amount as Nova Scotia) as shall amount to the said sum of One thousand and thirty Pounds Currency.

*Fourth.*—Nova Scotia shall itself contribute a sum of Two hundred and fifty Pounds, Halifax Currency, for the first year after the said Light Houses and humane establishments are in operation, and then for every year as long as they shall continue to be so, a proportionate part of a sum, which, added to the unexpended balance (if any) remaining from the preceding year, (New Brunswick being in this respect considered as having contributed the same amount as Nova Scotia) as shall amount to the said sum of One thousand and thirty Pounds Currency. And with the amount so contributed, the Government of Nova Scotia shall support, uphold and maintain the said Light Houses and humane establishments—it being well understood, that in case the said amount shall prove insufficient in any one year, the deficiency ought to be provided by the respective Legislatures of Lower Canada, Nova Scotia and Prince Edward Island, in such manner as shall appear to them most eligible, and in the same ratio as the contribution settled in this present Award.—But as to New Brunswick, the sum of Two hundred and fifty Pounds aforesaid, shall be a settled and permanent contribution, the overplus (if any) going to Nova Scotia, and the proportionate deficiency (if any) being borne altogether by the last mentioned Province of Nova Scotia, so as to have the expense and contribution for Nova Scotia and New Brunswick considered as altogether alike in amount with the aforesaid Provinces of Lower Canada and Prince Edward Island.

*Fifth.*—It is also expressly understood, that if said Light Houses and establishments are destroyed or impaired by fire, tempest, or other causes, that the expense of rebuilding or repairing the same shall not devolve on the Province of Nova Scotia alone, but be sustained by the Government of Great Britain, or as may be otherwise agreed and decided upon.

*Sixth.*—That the Board of Commissioners of Nova Scotia shall render accounts in each and every year to the House of Assembly of Nova Scotia, duplicates of which shall be transmitted annually to the Legislatures of Lower Canada, New Brunswick and Prince Edward Island, respectively.

*Seventh.*—The Commissioners suggest that the several sums appropriated to the above mentioned Provinces ought to be permanently provided for by Acts of the respective Legislatures.

*Eighth.*—That as the establishments on the said Islands are admitted to assume the importance of National rather than Local Structures, should His Majesty's Government contribute at a future period to their support, by annual Grant, it is adjudged that a ratable deduction shall be made from the amount of each Provincial contribution.

*Ninth.*—That the respective Colonial Legislatures having acquiesced in the liberal offer of His Majesty's Government, and in a great degree assumed the responsibility of maintaining those Light Houses of the Islands of Saint Paul and Scatari, it is recommended that no time be lost in proceeding with the erection of the same, by the proper authorities.

In faith whereof, we the respective Commissioners have signed this Award and Judgment, and have hereunto affixed our Seals, at Miramichi, this Sixteenth day of August, in the year of our Lord One thousand eight hundred and thirty-six.

(Signed)

A. N. MORIN, L. S.  
 ALEXANDER RANKIN, L. S.  
 WM. ABRAMS, L. S.  
 SAMUEL CUNARD, L. S.  
 EDMUND W. DODD, L. S.  
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*Seed Grain and Potatoes*, for certain Settlers, to provide; Received from Assembly, and read a first time, 54. Read a second time, *ib.* Read a third time, and passed, 55. Lieutenant Governor's assent, 57.

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*Bank of British North America*, to enable the Company to sue and be sued in the name of the local Manager or Agent; Received from Assembly, and read a first time, 58. Read a second time, 64. Committed, considered and agreed to, with an amendment, 73. Agreed to by Assembly, 88. Lieutenant Governor's assent, 97.

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*Schools*, for the support and encouragement of; Received from Assembly, and read a first time, 68. Read a second time, 71. Committed, considered, and agreed to, with amendments, 72. Read a third time, and passed, 82. Agreed to by Assembly, 91. Lieutenant Governor's assent, 97.

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