

JOURNAL

OF THE

LEGISLATIVE COUNCIL

OF

Prince Edward Island.

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

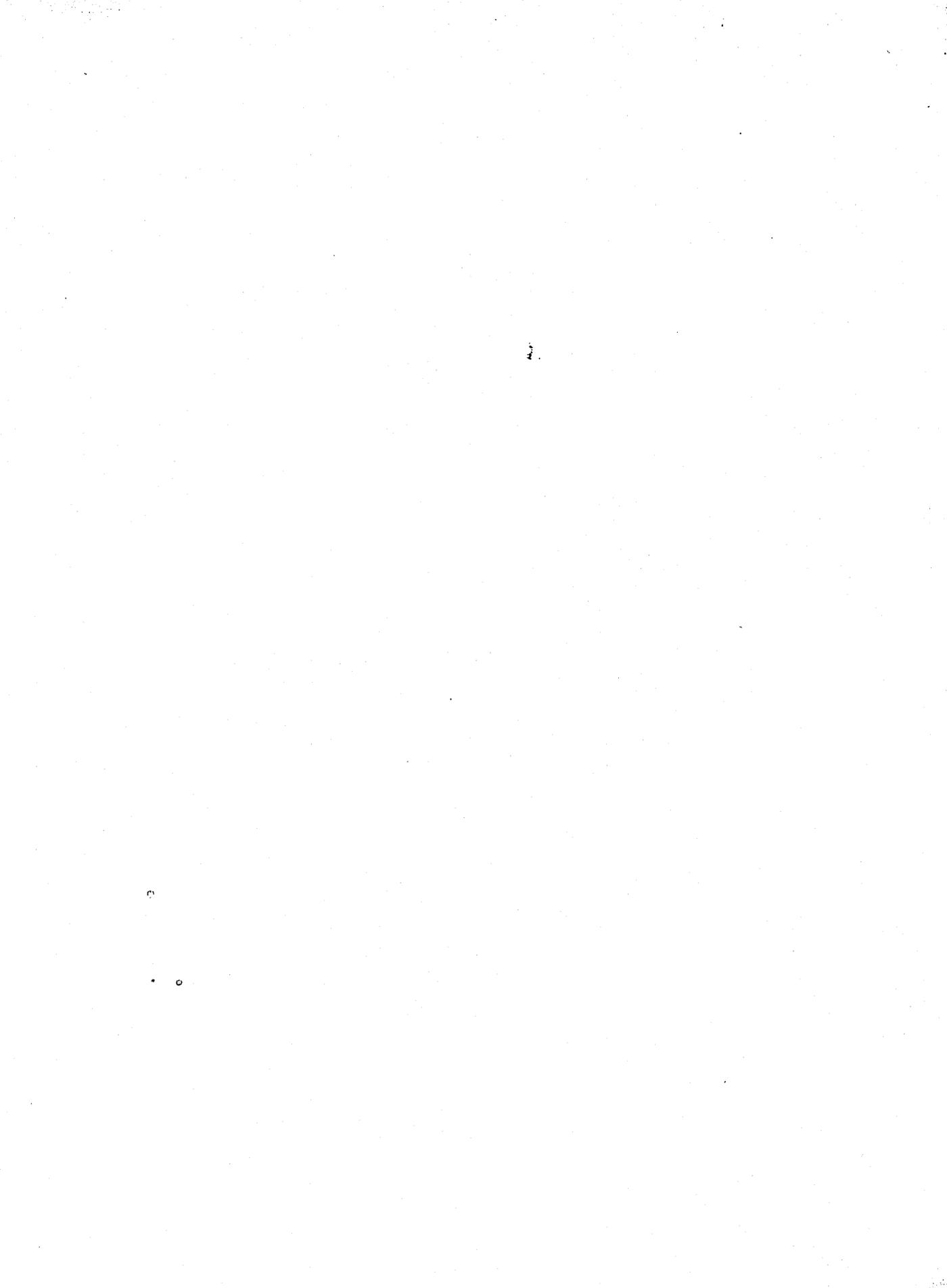
FIFTH SESSION OF THE EIGHTEENTH GENERAL ASSEMBLY.



CHARLOTTETOWN:

PRINTED BY JOHN INGS, "ISLANDER" OFFICE.

1853.





A Proclamation.

BY HIS EXCELLENCY

SIR ALEXANDER BANNERMAN, KNIGHT,

Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

A. BANNERMAN, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued to Thursday, the 3rd day of June next.

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Wednesday, 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 Seal at Charlottetown, in the said Island, this 28th day of May, in the year of our Lord one thousand eight hundred and fifty-two, and in the fifteenth year of Her Majesty's Reign.

By Command,

JAMES WARBURTON, Colonial Secretary.

God Save the Queen!

A Proclamation.

BY HIS EXCELLENCY

SIR ALEXANDER BANNERMAN, KNIGHT,

Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

A. BANNERMAN, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued to Wednesday, the 14th day of July instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the 26th day of August next, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my Hand and Seal at Charlottetown, in the said Island, this 12th day of July, in the year of our Lord one thousand eight hundred and fifty-two, and in the sixteenth year of Her Majesty's Reign.

By Command,

JAMES WARBURTON, Colonial Secretary.

God Save the Queen!



A Proclamation:

BY HIS EXCELLENCY

SIR ALEXANDER BANNERMAN, KNIGHT,

Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral, and Ordinary of the same, &c. &c. &c.

A. BANNERMAN, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Thursday, the 26th day of August instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the 7th day of October next, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my Hand and Seal at Charlottetown, in the said Island, this 23rd day of August, in the year of our Lord one thousand eight hundred and fifty-two, and in the sixteenth year of Her Majesty's Reign.

By Command,

JAMES WARBURTON, Colonial Secretary.

God Save the Queen!

A Proclamation:

BY HIS EXCELLENCY

SIR ALEXANDER BANNERMAN, KNIGHT,

Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral, and Ordinary of the same, &c. &c. &c.

A. BANNERMAN, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Thursday, the 7th day of October next:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the 18th day of November next, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my Hand and Seal at Charlottetown, in the said Island, this 30th day of September, in the year of our Lord one thousand eight hundred and fifty-two, and in the sixteenth year of Her Majesty's Reign.

By Command,

JAMES WARBURTON, Colonial Secretary.

God Save the Queen!



A Proclamation:

BY HIS EXCELLENCY

SIR ALEXANDER BANNERMAN, KNIGHT,

Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral, and Ordinary of the same, &c. &c. &c.

A. BANNERMAN, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Thursday, the 18th day of November instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, 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 Seal at Charlottetown, in the said Island, this 15th day of November, in the year of our Lord one thousand eight hundred and fifty-two, and in the sixteenth year of Her Majesty's Reign.

By Command,

JAMES WARBURTON, Colonial Secretary.

God Save the Queen!

A Proclamation:

BY HIS EXCELLENCY

SIR ALEXANDER BANNERMAN, KNIGHT,

Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral, and Ordinary of the same, &c. &c. &c.

A. BANNERMAN, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Thursday, the 30th day of December instant.

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the 20th day of January next, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my Hand and Seal at Charlottetown, in the said Island, this 18th day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the sixteenth year of Her Majesty's Reign.

By Command,

JAMES WARBURTON, Colonial Secretary.

God Save the Queen!



A Proclamation

BY HIS EXCELLENCY

SIR ALEXANDER BANNERMAN, KNIGHT,

Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

A. BANNERMAN, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Thursday, the 20th day of January instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the 10th day of February next, then to meet for the Dispatch of Business, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my Hand and Seal at Charlottetown, in the said Island, this 7th day of January, in the year of our Lord one thousand eight hundred and fifty-two, and in the Sixteenth year of Her Majesty's Reign.

By Command,

JAMES WARBURTON, Colonial Secretary.

God Save the Queen!

JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF
Prince Edward Island.

THURSDAY, 10th February, 1853.

THE General Assembly having been, by Proclamation, prorogued to this day, the Legislative Council met.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Attorney General*,
Mr. *Rice*,
Mr. *Swabey*,
Mr. *Hensley*,

The Hon. Mr. *Birnie*,
Mr. *Haythorne*,
Mr. *Beete*.

Mr. *President* acquainted the House, that His Excellency the Lieutenant Governor had provisionally appointed Joseph Holroyd, Esq., by Warrant, bearing date the Seventh day of January, 1853, a Member of this House, who desires to be admitted.

Ordered, That Mr. *Swabey* and Mr. *Birnie* be a Committee to attend Mr. Holroyd and see him qualified.

Mr. *Swabey*, from the Committee appointed to attend Mr. Holroyd, and see him qualified, reported, that they had, according to order, attended Mr. Holroyd, who took the Oaths in the presence of the Lieutenant Governor.

The Honorable Mr. *Holroyd* was then introduced between Mr. *Swabey* and Mr. *Birnie*, and took his seat.

The House adjourned during pleasure.

After some time, the House formed.

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 attendance of the House of Assembly immediately 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 Honorable Gentlemen of the Legislative Council;

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

I have again summoned you to meet, and with great satisfaction acquaint you, that, with one exception, all the Acts which were passed last Session have been left to their operation. The exception is the Lights and Anchorage Bill—additional information being required in regard to some of its provisions; that information has been furnished by the Government, and I shall apprise you of the result when it is communicated to me.

You will be happy to learn that the Education Bill was *especially* confirmed by Her Majesty—a measure of great importance, and the commencement, I trust, of a better system. Irrespective of party or political feelings, it was supported by you, in order to diffuse the blessings of education to all classes, and, with the Divine favour, to extend to Her Majesty's subjects in this Island the means of obtaining religious and secular instruction. The Bill will provide those means, if its details are revised, as experience may suggest, by a well constituted Board of Education, entitled to the confidence of the community, which will enable such a Body, with an efficient Inspector, to follow out a system similar to that which has been attended with happy results elsewhere, and obtained the sanction and support of Her Majesty and the Lords of Her Privy Council, during several successive Administrations.

You will recollect at the opening of the Session last year that I alluded to a measure which was passed in the year 1851, but not confirmed—the One-ninth Bill. Attaching, however, great importance to the inconvenience which might arise, from what I considered to be an unfortunate omission in your Currency Bill of 1849, I promised to endeavour to prove to the Queen's Government the necessity for Legislation on the principle which I then enunciated, and which the Legislature of New Brunswick, in their recent Currency Act, did not fail to provide for. Soon after, however, a change took place in Her Majesty's Councils—a dissolution of the Imperial Parliament followed—and well knowing the mass of business which must necessarily occupy the attention of the Colonial Minister, I abstained from communicating with him on this subject, believing that if I did so he would naturally refer me to the Despatch of his predecessor, of November 6, 1851, in which Earl Grey says:—

“ I observe that the provision of the Act is confined to cases in which the Landlords have been already in the habit of receiving their Rents, on a calculation assuming less than the actual depreciation of the currency. This gives me reason for hoping that no serious practical inconvenience will arise from its not being confirmed, since I am not aware of any good reason for supposing, that Landlords will, in future, shew less indulgence than they have hitherto done.

“ There may be special cases of hardship and injustice likely to arise from the state in which the Law will be left from the non-confirmation of this Act, for which it may be proper to afford a remedy; but it has not been shewn that this is the case.”

As you are again assembled to legislate impartially for all classes of the community, I leave with great confidence this important question to your deliberation, wisdom and discretion, and have given directions to lay before you a Minute of the Lords of the Treasury, dated 27th June last, relative to the Currency of the North American Provinces. A Bill has been introduced in the Canadian Legislature, with the view of adopting one uniform system. If such a measure be submitted for your consideration, it might afford a suitable opportunity to provide a remedy for those cases of hardship and injustice which Earl Grey admitted may arise from the state in which the law is left.

Mr. Speaker and Gentlemen of the House of Assembly:

The Public Accounts will be laid before you, and you will be gratified at seeing a clear indication of the increasing prosperity of the Colony: the Revenue in 1851 having been £22,800, while in 1852 it has reached £31,300; and you will, perhaps, be enabled to make some reduction in the duty on tea, an article of general consumption among all classes. After providing for the public obligations and the salaries of those whom you entrust with the management of the different departments of the Government—(many of them, in my opinion, along with you, Mr. Speaker, being very inadequately paid)—the annual appropriation of the revenue devolves on you, to be distributed for public purposes, and, consequently, for the benefit of the tax-payer, on whom it is levied. I shall only, therefore, again observe, that nothing will tend more to enhance the welfare and credit of the Colony, than by limiting its expenditure within the income, to enable you to meet emergencies, should they occur, if it please God to be less bountiful to this Island in those blessings which we have now such reason to be grateful for. The Estimates will be submitted for your consideration, and I have no doubt you will readily provide for the public service.

Mr. President and Honorable Gentlemen of the Legislative Council;

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

A Bill to empower the Government to purchase the Township lands will be submitted for your consideration.

Despatches will be laid before you relative to the very important question of the Fisheries; they contain representations which I considered it necessary, with the advice and cordial concurrence of the Executive, to make to Her Majesty's Government, on the daily infraction of the Convention of 1818, carried on along the shores and in the harbours of this Colony, by United States fishermen, to an extent which I am confident was unknown to their Government. In reference to these representations, I received a communication from Sir John Pakington, dated the 27th May, announcing that a small Naval force was to be despatched for the protection of the fisheries. You are aware of the very efficient manner in which that service was performed. And I am happy to bear testimony to the discretion and forbearance of the officers to whom Vice Admiral Sir G. Seymour entrusted so delicate and difficult a duty. And I believe that the wise, necessary and well-timed course adopted by the British Government will avert serious disputes and future collisions with the subjects of a friendly power, and otherwise lead to happy consequences.

After the close of the fishery season, Her Majesty's Government and that of the United States were about to enter into "a Negotiation upon the broadest basis of reciprocal and equivalent concessions in Trade," and it was my duty, (indeed I was instructed,) to furnish a statement of the several points affecting the interests of this Island, proper to be considered in such negotiations. You may be assured that those interests will not be neglected.

You will therefore, I hope, concur with me that it would be desirable, at present, to abstain from taking any active measures on the subject of the Fisheries or of Trade, which might by any possibility embarrass or impede the proceedings of the respective Governments, in bringing these negotiations to a successful

and amicable termination; an event which I am sure would be hailed by you and the people of Prince Edward Island with the greatest satisfaction—for you will remember the excitement which prevailed in the United States in the early part of last Summer on the Fishery Question, which partly arose from statements promulgated in the Colonies, without that due caution, the want of which was foreseen by the Minister who held the colonial seals in 1845, when he alluded “to the danger which cannot fail to arise from an overstrained assumption of the power of excluding the fishermen of the United States from the waters in which they have the right to follow their pursuits.” On the other hand, the American Press, at the time I refer to, seemed entirely to overlook the flagrant breaches of the Treaty which were daily committed by American subjects, *within limits* where their ablest Statesmen admit their countrymen have neither right nor title to trespass. By the Convention of 1818, United States fishermen have liberty in common with Her Majesty’s subjects, to take fish of every kind in those waters which are defined in the Treaty, and they have liberty “to dry and cure fish in any of the *unsettled* bays, harbors and creeks on the southern part of Newfoundland, and of the coast of Labrador.”

Should the American Government, therefore, agree to make such equivalent concessions as may make it advisable to accord to its citizens the same privileges which are enjoyed by Her Majesty’s subjects here, the Fishery Question, in so far as Prince Edward Island is concerned, admits of easy solution; for the Colony is in possession of numerous reserves, abutting on its sea shores, bays, harbors and creeks, where the tides ebb and flow, expressly granted and secured for fishery purposes by His late Majesty King George the Third. With the advice of the Executive, I have forwarded to the Queen’s Government a Map delineating the localities of these reserves, distinguishing the tenures by which they are held, and copies of that Map will be laid before you.

I cannot conclude without alluding to the advantages which must accrue to the inhabitants of this Colony from the Electric Telegraph, which, notwithstanding their insular position, will enable them not only to interchange intelligence with their neighbours in the adjoining Provinces, but with the people in the remotest corner of the vast American Continent, in the shortest space of time. Man’s intellect, the gift of His Creator, graciously bestowed to carry out His beneficent purposes for the good of the human race, cannot be more wonderfully exemplified than by the discovery that an Electric cable, “in the deep bosom of the ocean buried,” may convey to the shores of Newfoundland, one hundred and forty miles distant, in a very few minutes, the words I am now addressing to you. Such will be the result when this great undertaking is completed, and to the enterprising Gentlemen who have embarked their capital to accomplish it, this colony is much indebted, and I hope they will meet with that support and success which they so well deserve.

I shall be happy at all times and on all subjects to communicate with you to expedite public business, and to promote the welfare of the people.

The Speech being ended, and the House of Assembly having withdrawn, His Excellency was pleased to retire.

Prayers were then read.

Mr. *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. *Attorney General*, Mr. *Swabey* and Mr. *Haythorne* be a Committee to prepare a Draft pursuant to the above Resolution.

Resolved, That a Committee be appointed to revise the Journal of this House each day, and that it be an instruction to the Committee to require, that a printed copy be laid on the table daily.

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

Resolved, That a Committee be appointed to examine into, and report upon such Laws as are near Expiring.

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

Resolved, That a Committee be appointed to examine Bills to be engrossed, or that have been engrossed.

Ordered, That Mr. *Birnie* and Mr. *Beete* do compose the said Committee.

Resolved, That a Committee be appointed to regulate the Contingent Expenditure of this House, during the present Session.

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

Ordered, That One Hundred copies of the Journal of this House be furnished by the Printer.

Resolved, That the Thirty Seventh Standing Order of this House, be inserted three times in each of the Newspapers published in Charlottetown, for the information of the public.

Resolved, That Mr. Henry Douglas Morpeth be appointed Reporter to this House for the present Term of the General Assembly.

Resolved, That Patrick Furlong be appointed Doorkeeper to this House.

Adjourned until to-morrow, at One o'clock.

FRIDAY, 11th February, 1853.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Rice*,

The Hon. Mr. *Birnie*,

Mr. *Swabey*,

Mr. *Beete*.

Mr. *Hensley*,

PRAYERS.

There not being a Quorum,

Adjourned until Monday next, at One o'clock.

MONDAY, 14th February, 1853.

PRESENT :

The Honorable Mr. *Macdonald*, President.The Hon. Mr. *Attorney General*,
Mr. *Swabey*,The Hon. Mr. *Hensley*.

PRAYERS.

There not being a Quorum,
Adjourned until to-morrow at Eleven o'clock.

TUESDAY, 15th February, 1853.

The Council met pursuant to adjournment.

PRESENT :

The Honorable Mr. *Macdonald*, President.The Hon. Mr. *Holl*,
Mr. *Attorney General*,
Mr. *Rice*,
Mr. *Swabey*,The Hon. Mr. *Hensley*,
Mr. *Birnie*,
Mr. *Beete*,
Mr. *Holroyd*.

PRAYERS.

READ the proceedings of Thursday last.

Mr. *President* acquainted the House, that His Excellency the Lieutenant Governor had provisionally appointed Donald Beaton, Esq., by Warrant, bearing date the Twenty second day of May, 1852, a Member of this House, who desires to be admitted.

Ordered, That Mr. *Swabey* and Mr. *Beete* be a Committee to attend Mr. Beaton and see him qualified.

Mr. *Swabey*, from the Committee appointed to attend Mr. Beaton, and see him qualified, reported that they had, according to order, attended Mr. Beaton, who took the Oaths, in presence of the Lieutenant Governor.

The Honorable Mr. *Beaton* was then introduced between Mr. *Swabey* and Mr. *Beete*, and took his seat.

Mr. *Attorney General*, from the Committee appointed to prepare an Address in answer to His Excellency's Speech, reported a Draft thereof, which he read in his place.

Ordered, That the Report be received, and the said Draft was again read by the Clerk, and it was Ordered, that the House be forthwith put into a Committee of the whole, to take the same into consideration.

The House was adjourned during pleasure, and put into a Committee on the said Address. After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Address, and had agreed to the same, without any amendment.

Ordered, That the Report of the Committee be received.

The said Address being read a second time, was agreed to by the House.

Ordered, That the said Address be engrossed.

Mr. *Swabey*, by leave, presented a Petition of Mary Ann Mearns, of Georgetown Road, Township Number Fifty-one, praying remuneration for her services as a Teacher.

The said Petition was read, and ordered to lie on the Table.

On motion, the Address to His Excellency the Lieutenant Governor, in answer to his Speech, was read a third time, and passed; whereupon Mr. President signed the same, and which is as followeth:

To His Excellency SIR ALEXANDER BANNERMAN, Knight, Lieutenant Governor, and Commander in Chief, in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral, and Ordinary of the same, &c. &c.

May it please Your Excellency;

We, the Members of Her Majesty's Legislative Council of Prince Edward Island, beg to offer unto your Excellency our thanks for your Speech at the opening of the present Session, and for the varied information which it has afforded.

We thank your Excellency for furnishing the Imperial Government with the information necessary to guide Her Majesty, in a final decision with respect to the Lights and Anchorage Bill.

We are happy to learn that the Education Bill has received Her Majesty's special confirmation. We trust that the useful objects which that measure has in contemplation will, by the favor of Divine Providence, be fully accomplished; that Free Education will be the means of creating a general diffusion of intellectual improvement, and that moral and religious, as well as literary and scientific, culture will then be produced, and social happiness thereby greatly promoted.

We shall be glad to avail ourselves of the suggestions adverted to in your Speech, with reference to the One-ninth Bill.

We trust that any enactment that may be passed, empowering the Government to purchase Township Lands, may prove beneficial to all classes in this Island.

We shall be happy to give mature consideration to any documents your Excellency may be pleased to lay before us, on the subject of the infraction heretofore made by the United States fishermen, in violation of the terms of the Treaty of 1818, and to co-operate in rendering available any measures, within the reach of the Government, towards the maintenance of our rights. We coincide with your Excellency,

that much praise is due to the Naval Officers entrusted with the delicate and difficult duty of protecting the fisheries from encroachments, for the courteous and effective manner in which they carried out their instructions.

We feel bound to express to your Excellency our sincere thanks for your exertions in laying before the Colonial Minister our just claims to the protection of Her Majesty's Government, so that such an important Branch of Industry as the Fisheries may be preserved to the Inhabitants of this Colony, in accordance with the beneficent intentions of His late Majesty King George the Third, and secured by the Convention of 1818.

We believe that the Electric Telegraph will be found an useful agent in producing enlarged means for commercial and social intercourse, and cordially concur with your Excellency in the assertion, that this Colony is much indebted to the enterprising individuals who have undertaken this great step towards the improvement of our Island, and we wish that their operations may be crowned with success.

We shall be happy to hold such communications with your Excellency as shall produce united co-operation, in expediting public business, and in promoting the welfare of the inhabitants of this Loyal Colony.

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

Ordered, That the same Committee who prepared the Address, be a Committee to wait upon His Excellency, to know when he will be pleased to receive this House with their Address; who returning, reported that they had waited on His Excellency, and that he had been pleased to say he would receive the Address at half-past Twelve o'clock this day.

A Message from the House of Assembly, by the Hon. Mr. Coles.

House of Assembly, Thursday, February 10, 1853.

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

Ordered, That the Hon. Mr. Coles, the Hon. Colonial Treasurer, Mr. Davies, the Hon. Mr. Lord, Mr. Longworth, and the Hon. Mr. Thornton do compose the said Committee.

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

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

Ordered, That Mr. *Attorney General*, Mr. *Hensley* and Mr. *Birnie* do compose the said Committee.

Ordered, That the said Resolution be communicated by Message to the House of Assembly.

The following Tenders for Printing the Journals for the present Session, were laid before the House, and are as follow, viz:

One from George T. Haszard, engaging to perform the work for Eighteen Shillings and three-pence, for each sheet of four pages, and to bind the same for Three Shillings and four-pence per copy.

Secondly—One from John J. Pippy, at the rate of Eighteen Shillings and nine-pence per sheet of four pages, and three shillings and six-pence for binding each copy.

Thirdly—One from John Ings, at the rate of Sixteen Shillings and three pence, for every sheet of four pages, and Three Shillings and four-pence for binding each copy—which latter Tender, being the lowest, the House adopted.

At half-past Twelve o'clock, the House waited on His Excellency the Lieutenant Governor, with their Address, in answer to his Speech at the opening of the Session, and being returned, Mr. *President* reported, that His Excellency had been pleased to receive the same, and to give an answer thereto, which was read by the Clerk, and is as followeth:

Mr. President and Honorable Gentlemen of the Legislative Council;

I have to thank you for this Address, and am gratified with the observations you have made on those topics of public importance which I considered it necessary to allude to, at the opening of the Session; and, during its continuance, it will afford me great satisfaction to communicate with you on any subject which may tend to promote the public welfare.

The Honorable Colonial Treasurer laid before the House, his Accounts with the Government, for the year ended 31st January, 1853.

Ordered, That the said Accounts do lie on the Table.

Adjourned until to-morrow, at One o'clock.

WEDNESDAY, 16th, February, 1853.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Attorney General*,

The Hon. Mr. *Birnie*,

Mr. *Swabey*,

Mr. *Beete*.

Mr. *Hensley*,

PRAYERS.

There not being a Quorum,

Adjourned until to-morrow, at Three o'clock.

THURSDAY, 17th February, 1853.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Attorney General*,

The Hon. Mr. *Swabey*,

PRAYERS.

There not being a Quorum,

Adjourned until to-morrow at One o'clock.

FRIDAY, 18th February, 1853.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

The Hon. Mr. *Hensley*,

Mr. *Attorney General*,

Mr. *Birnie*,

Mr. *Rice*,

Mr. *Beaton*,

Mr. *Swabey*,

Mr. *Holroyd*.

PRAYERS.

READ the proceedings of Tuesday last.

Mr. *Swabey* laid before the House, the following Accounts, viz:

Accounts of the Collector of Impost and Excise for Charlottetown, for the year ended 31st December, 1852.

Accounts of the Collector of Impost and Excise for Georgetown, for the Quarter ended 31st December, 1852.

An Account of Light Duty collected at the Port of Three Rivers, during the past year.

Also—

The Public Accounts, as arranged and classified by the Auditors, for the use of the Legislature.

Ordered, That the said Accounts do lie on the Table.

A Message from His Excellency the Lieutenant Governor, was delivered by the Hon. Mr. Secretary Warburton, and the same was read, and is as followeth:

A. BANNERMAN, Lieutenant Governor.

The Lieutenant Governor transmits, for the information of the Legislative Council, copies of Despatches, and other documents, referred to in his Speech at the opening of the present Session, viz:

No. 1—Copy of a Treasury Minute, dated 29th June, 1852, on the subject of the Currency throughout the North American Provinces.

No. 2—Map of Prince Edward Island, with the Fishery Reserves marked out thereon.

No. 3—Order of Her Majesty in Council, dated 15th May, 1852, leaving to their operation Six Acts passed in the Sessions of 1851 and 1852.

No. 4—Order of Her Majesty in Council, dated 30th June, 1852, leaving to their operation Six Acts passed by the Colonial Legislature, in the Sessions of 1851 and 1852.

No. 5—Order of Her Majesty in Council, dated 18th August, 1852, specially confirming the Act to amend the Civil List Act, passed in the Session of 1852.

No. 6—Order of Her Majesty in Council, dated 18th August, 1852, leaving to their operation Twelve Acts passed by the Colonial Legislature, in the Sessions of 1851 and 1852.

No. 7—Order of Her Majesty in Council, dated 16th October, 1852, leaving to their operation Sixteen Acts passed by the Colonial Legislature in the Sessions of 1851 and 1852.

No. 8—Order of Her Majesty in Council, dated 16th October, 1852, specially confirming two Acts passed by the Colonial Legislature in the Session of 1852.

No. 9—Order of Her Majesty in Council, dated 28th December, 1852, specially confirming the Free Education Act passed in the Session of 1852.

No. 10—Order of Her Majesty in Council, dated 28th December, 1852, leaving to its operation the Small Debt Act passed in the Session of 1852.

The said Message and Papers were read, and ordered to lie on the Table.

[See Appendix No. 1 to 10.]

Mr. *Swabey* presented to the House, a Bill to render available for the maintenance of the Central Academy, certain Lots in Charlottetown, and the same was read a first time.

Mr. *Rice*, by leave, presented a Memorial of the Committee of the Royal Agricultural Society, praying that this House will concur with the House of Assembly in the grant of the sum of One thousand Pounds, for the purchase and importation of Stud Draught Horses.

The said Memorial was read, and ordered to lie on the Table.

A Message from the House of Assembly, by the Hon. Colonial Treasurer.

In the House of Assembly, Friday, February 18, 1853.

Resolved, That a Committee be appointed to join a Committee of the Legislative Council, to prepare an Address to His Excellency the Lieutenant Governor, praying that he will be pleased to issue Warrants on the Treasury, in favour of the Royal Agricultural Society, for the purchase of Horses, in accordance with a Resolution of the House of Assembly, of the 14th instant, and that the Legislature will provide for the same.

Ordered, That the Hon. Colonial Treasurer, Hon. Mr. Coles, Mr. Clark and Mr. Wightman, 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.

Resolved, That a Committee be appointed to join the Committee of the House of Assembly, to prepare the said Address to His Excellency the Lieutenant Governor.

Ordered, That Mr. *Attorney General* and Mr. *Swabey* 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 House of Assembly.

Mr. *Attorney General*, from the Committee appointed to examine into, and report upon the Expiring Laws, presented to the House the Report of the Committee, which he read in his place, and is as followeth:

Your Committee having carefully examined the Laws of this Island, to ascertain those which are about to expire during the present Session of the Legislature, beg leave to report as follows:

That the Act of 10 Victoria, cap. 9, intituled "An Act for the encouragement of Education," will expire on the 3d of April, 1853, unless the Act of 15 Victoria, cap. 13, being the Free Education Act, shall go into operation before that date, in which case the Act of 10 Victoria, cap. 9, expires immediately after the Act of 15 Victoria, cap. 13, goes into operation.

That the Act of 12 Victoria, cap. 10, intituled "An Act for raising a Revenue," and the Act of 15 Victoria, cap. 26, intituled "An Act for raising a Revenue," will severally expire on the First day of May, 1853.

Ordered, That the Report of the Committee be received.

Adjourned until Monday next, at One o'clock.

MONDAY, 21st February, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Beete*.
 Mr. *Beaton*,
 Mr. *olroyd*.

PRAYERS.

The Hon. Mr. *Holl* sat President.

READ the proceedings of Friday last.

A Message from His Excellency the Lieutenant Governor, was delivered by the Hon. Mr. Secretary Warburton, and the same was read, and is as followeth:

A. BANNERMAN, Lieutenant Governor.

The Lieutenant Governor transmits to the Legislative Council, copy of the correspondence relative to the presentation of publications of Smithsonian Institute, to the Legislative Library.

No. 1—Copy of a Letter from Joseph Henry, Esquire, Secretary to the Smithsonian Institute, dated 21st April, 1852.

No. 2—Rules for the distribution of Smithsonian Contributions.

No. 3—Copy of a Letter from the Earl of Elgin and Kincardine, dated 14th September, 1852.

No. 4—Copy of a Letter from Sir Alexander Bannerman, to the Earl of Elgin and Kincardine, dated 11th November, 1852.

No. 5—Copy of a Letter from the Earl of Elgin and Kincardine, to Sir A. Bannerman, dated 28th December, 1852.

No. 6—Copy of a Letter from Sir A. Bannerman, to the Earl of Elgin and Kincardine, dated 26th January, 1853.

The said Message and Papers were read, and ordered to lie on the Table.

[See Appendix No. 11.]

Mr. *Attorney General*, from the Joint Committee of the Council and Assembly, appointed to prepare an Address to His Excellency the Lieutenant Governor, praying that he will be pleased to issue Warrants on the Treasury in favour of the Royal Agricultural Society, for the purchase of Horses, reported the draft of an Address, as prepared by the Committee, and the same was read, and agreed to, and is as followeth:

To His Excellency SIR ALEXANDER BANNERMAN, Knight, Lieutenant Governor and Commander in Chief, in and over Her 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;

The Royal Agricultural Society of this Island being desirous of importing several Stud Horses from the United Kingdom, for the improvement of the breed of Horses in this Island, and having petitioned the Legislature for a grant of money in aid of that object, the Legislature have agreed to comply with their request, subject to the conditions contained in the accompanying Resolution; and it being of great importance that a person should be sent to England for the purchase of such Stock forthwith—

The Legislative Council and Assembly beg to request that Your Excellency will be pleased to draw Warrants on the Treasury, in favour of the Royal Agricultural Society, for the sum of One Thousand Pounds, in furtherance of the before mentioned object, and the Council and Assembly will make due provision for the same.

Ordered, That the same Committee who prepared the Address, be a Committee on the part of this House to wait upon His Excellency with the same.

Read a second time, the Bill to render available for the maintenance of the Central Academy, certain Lots in Charlottetown.

On motion, the House was adjourned during pleasure, and put into Committee on the said Bill. After some time, the House was resumed, and Mr. *Swabey* 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 to-morrow, at One o'clock.

TUESDAY, 22d February, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,

The Hon. Mr. *Hensley*,
 Mr. *Birnie*,
 Mr. *Beaton*,

PRAYERS.

The House being informed that indisposition prevents Mr. *President* from attending in his place,

The Hon. Mr. *Holl* sat President.

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

Read the proceedings of yesterday.

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

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

Mr. *Attorney General*, from the Joint Committee of the Council and Assembly, appointed to wait upon His Excellency the Lieutenant Governor, with the joint Address of both Houses, praying that His Excellency will be pleased to draw Warrants on the Treasury, in favour of the Royal Agricultural Society, for the purchase of Horses, reported the delivery thereof, and that His Excellency was pleased to say, he would comply with the prayer of the Address.

A Message from the House of Assembly, by the Hon. Mr. *Coles*, with a Bill intituled "An Act to amend the Free Education Act, passed in the Fifteenth year of Her Majesty Queen Victoria.

Also, a Bill intituled "An Act for further improving the Administration of Criminal Justice."

And also, a Bill intituled "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the soil"—to which they desire the concurrence of the Legislative Council.

The said Bills were severally read a first time.

Adjourned until to-morrow, at One o'clock.

WEDNESDAY, 23d, February, 1853.

The Council met, pursuant to adjournment.

PRESENT :

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*,
 Mr. *Holroyd*.

PRAYERS.

The Hon. Mr. *Holl* sat President.

READ the proceedings of yesterday.

Mr. *Swabey*, by leave, presented the following Petitions, and the same were severally received and read, viz:—

A Petition of Mary Kelly, of Charlottetown, Widow, in indigent circumstances, with four children, two of whom are Idiots, and praying relief.

A Petition of divers Inhabitants of Launching Place, Cardigan River, Townships 55 and 54, praying that this House will concur with the House of Assembly in granting a Sum of Money, for the purpose of extending the Wharf at Launching Place.

Ordered, That the said Petitions do lie on the table.

The Bill, intituled, An Act to amend the Free Education Act, passed in the Fifteenth Year of Her Majesty, Queen Victoria, was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time, the House was resumed, and Mr. *Swabey* 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.

Mr. *Swabey* presented to the House a Bill to regulate the mode of summoning Grand and Petit Jurors, and the same was read a first time.

Mr. *Attorney General*, by leave, presented a Petition of Elizabeth Carson, of Charlottetown, praying that this House will concur with the House of Assembly, in granting a sum of money to assist her in the support and maintenance of James Webber, an aged, blind and destitute person.

The said Petition was read, and ordered to lie on the Table.

Mr. *Birnie*, by leave, presented a Petition of Martin Byrne, Postmaster at Georgetown, setting forth, that he is not adequately remunerated for his services, and praying an increased allowance.

The said Petition was read, and ordered to lie on the Table.

Mr. *Swabey* laid before the House, the Accounts of the Collector of Impost and Excise for the District of Crapaud, for the year ended 31st December, 1852.

Ordered, That the said Accounts do lie on the Table.

Adjourned until to-morrow at One o'clock.

THURSDAY, 24th February, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Rice*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Dingwell*,

Mr. *Beete*,

Mr. *Beaton*.

PRAYERS.

The Hon. Mr. *Holl* sat President.

READ the proceedings of yesterday.

Mr. *Swabey* laid before the House, the Annual Report of the Trustees of the Lunatic Asylum, and House of Industry, together with a Return of Paupers and Lunatics therein, from 1st March, 1852, to 31st January, 1853; and also the Medical Officer's Report.

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

[See Appendix No. 12.]

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to amend the Free Education Act," passed in the Fifteenth year of Her present Majesty Queen Victoria—After

some time, the House was resumed, and Mr. *Attorney General* reported, that the Committee had made further progress therein, and they recommended that a Conference be desired with the House of Assembly on the subject matter thereof; and further, 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 agreed to.

Ordered, That Mr. *Attorney General* and Mr. *Birnie* be a Committee to manage the said Conference, to meet in the Conference Room to-morrow, at One o'clock.

The Bill to regulate the mode of summoning Grand and Petit Jurors, was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Beete* reported, that the Committee recommend that the Bill be referred to a Special Committee to report thereon.

Ordered, That the Report of the Committee be received.

Ordered, That Mr. *Attorney General*, Mr. *Swabey* and Mr. *Hensley* do compose the said Committee.

Mr. *Beaton*, by leave, presented the following Petitions, and the same were received and read, viz:

A Petition of divers inhabitants of Townships Numbers Forty-eight, Forty-nine and Fifty, praying that this House will concur with the House of Assembly, in granting a sum sufficient to repair the Wharf at Pownal Bay, which had sustained much injury in consequence of the Gale of the 15th October last.

A Petition of Thomas Walsh, of Morell, Township Number Forty, praying remuneration for his services as a Primary Teacher.

Ordered, That the said Petitions do lie on the Table.

Adjourned until to-morrow, at One o'clock.

FRIDAY, 25th February, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Swabey*,

Mr. *Emsley*,

The Hon. Mr. *Birnie*,

Mr. *Dingwell*,

Mr. *Beaton*,

Mr. *Holroyd*.

PRAYERS.

The Hon. Mr. *Holl* sat President.

READ the proceedings of yesterday.

Two Messages from His Excellency the Lieutenant Governor, were delivered by the Hon. Mr. Secretary Warburton, and the same were read, and are as follow:

[FIRST MESSAGE.]

A. BANNERMAN, Lieutenant Governor.

The Lieutenant Governor transmits, for the information of the Legislative Council, copies of Despatches, and other documents, received during the past year.

No. 1.—Copy of Despatch No. 44, dated 13th October, 1851, transmitting a Proclamation relative to wrecked Fishermen.

No. 2.—Copy of Despatch, No. 50, dated 15th November, 1851, respecting the Convention of 1818.

No. 3.—Copy of Despatch No. 51, dated 22d November, 1851, respecting rates at which Steamers can be supplied with Coal.

No. 4.—Copy of Despatch No. 9, transmitting Joint Address of the Council and Assembly, on the subject of the Treaty for regulating the Fisheries.

No. 5.—Copy of Despatch No. 10, dated 12th February, 1852, relating to the Act of 6 Victoria, cap. 14, for the protection of the Fisheries.

No. 6.—Extract of a Despatch, dated February, 1852.

No. 7.—Copy of Despatch, No. 4, dated 27th May, 1852, announcing that a Naval Force would be sent to protect the Fisheries, and remarks on Bounties.

No. 8.—Copy of Despatch No. 8, dated 10th June, 1852, announcing that the Address of the Legislature praying for some relaxation of the Treaty of 1818, had been laid before the Queen.

No. 9.—Copy of Despatch No. 27, dated 7th December, 1852, enclosing extract from Sir George Seymour's Letter, dated 24th November, 1852.

No. 10.—Copy of Despatch No. 77, dated 15th January, 1853, from Sir Alexander Bannerman, in answer to Sir John Pakington's Despatch, No. 27.

The said Message and papers were read, and ordered to lie on the Table.

[See Appendix No. 13.]

[SECOND MESSAGE.]

A. BANNERMAN, Lieutenant Governor.

The Lieutenant Governor lays before the Legislative Council, copies of the following Despatches, and other documents, viz:

No. 1.—Copy of Despatch, Military, from Sir John Pakington, dated July 2d, 1852.

No. 2.—Copy of Despatch from the Duke of Newcastle, referring to Sir John Pakington's Despatch of 2d July, 1852, together with documents referred to in those Despatches, viz:

No. 3.—Copy of Despatch from Sir Alexander Bannerman to Sir John Pakington, dated 9th April, 1852, on the subject of Desertion and withdrawal of Troops.

No. 4.—Copy of Petition of fifty-two inhabitants of Charlottetown to be enrolled.

No. 5.—Sir Alexander Bannerman's answer thereto.

No. 6.—Copy of Despatch from Sir Alexander Bannerman to Sir John Pakington, forwarding said Petition, and to which reference is made in Military Despatch of 2d July.

No. 7.—Answer of Sir Alexander Bannerman, to Duke of Newcastle, dated 23d February, 1853.

The said Message and Papers were read, and ordered to lie on the Table.

[See Appendix No. 14.]

A Message from the House of Assembly, by the Hon. Mr. Coles, with a Bill intituled An Act for the amendment of an Act passed in the Sixth year of the Reign of Her Majesty Queen Victoria, intituled An Act to repeal an Act made and passed in the Twenty-first year of the Reign of King George the Third, intituled "An Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates, and to make other provisions in lieu thereof."

Also with the following written Message:—

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 amend the Free Education Act," passed in the Fifteenth year of Her Majesty Queen Victoria, and have appointed the Hon. Mr. Coles, the Hon. Colonial Secretary, Mr. Davies, and the Hon. Mr. Whelan, a Committee to manage the said Conference.

And the names of the managers being called over, they went to the Conference, and being returned, they reported that they had complied with the instructions given them by this House.

A Message from the House of Assembly, by the Hon. Mr. Thornton, with a Bill intituled "An Act to amend the Act relating to the recovery of Small Debts," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

A Message from the House of Assembly, by the Hon. Mr. Coles.

Mr. President;

The House of Assembly desire a further Conference with the Legislative Council on the Bill intituled "An Act to amend the Free Education Act," passed in the Fifteenth year of Her Majesty Queen Victoria, and have appointed the same Committee who managed the last Conference thereon, a Committee to manage this further Conference.

Resolved, That a further Conference be agreed to, as is desired by the House of Assembly.

Ordered, That the same Committee who managed the last Conference thereon, be a Committee to manage this further Conference, to meet in the Conference Room instant.

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

And the names of the Managers being called over, they went to the Conference, and being returned, they reported the substance thereof to the House.

The Bill intituled An Act for the amendment of an Act passed in the Sixth year of the Reign of Her Majesty Queen Victoria, intituled An Act to repeal an Act made

and passed in the Twenty-first year of the Reign of King George the Third, intituled "An Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates, and to make other provisions in lieu thereof," was read a first time.

Mr. *Hensley*, by leave, presented a Petition of divers Merchants, Ship-owners, and others, inhabitants of Georgetown, praying that this House will concur with the House of Assembly, in granting a sum of money for the repair and extension of the Queen's Wharf at Georgetown.

The said Petition was read, and ordered to lie on the Table.

Mr. *Attorney General*, by leave, presented a Petition of divers inhabitants of Saint Eleanor's, and its vicinity, praying that this House will concur with the House of Assembly in granting a sum of money in aid of opening a Road from Darby's Portage to the South Shore.

Adjourned until Monday next, at One o'clock.

MONDAY, 28th February, 1853.

PRESENT :

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

The Hon. Mr. *Birnie*,

Mr. *Swabey*,

Mr. *Dingwell*.

Mr. *Hensley*,

PRAYERS.

There not being a Quorum,

Adjourned until to-morrow, at One o'clock.

TUESDAY, 1st March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
Mr. *Attorney General*,
Mr. *Rice*,
Mr. *Swabey*,

The Hon. Mr. *Hensley*,
Mr. *Birnie*,
Mr. *Dingwell*.

PRAYERS.

READ the proceedings of Friday last.

Mr. *President* informed the House that indisposition prevents Mr. *Beete* from attending in his place.

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

Mr. *Holl* informed the House that indisposition prevents Mr. *Holroyd* from attending in his place.

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

Mr. *President*, by leave, presented a Memorial of Margaret Rankin, Widow of the late Coun Douly Rankin, Esquire, setting forth certain unremunerated Public Services performed by her late Husband, in consideration of which, Memorialist prays the favorable consideration of this House.

The said Memorial was read, and ordered to lie on the Table.

Two Messages from His Excellency the Lieutenant Governor were delivered by the Hon Mr. Secretary Warburton, and the same were read, and are as follow:

[FIRST MESSAGE.]

A. BANNERMAN, Lieutenant Governor.

The Lieutenant Governor lays before the Legislative Council the Estimates for the Services of the current year.

Government House, March 1st, 1853.

Ordered, That the same do lie on the Table.

[SECOND MESSAGE.]

A. BANNERMAN, Lieutenant Governor.

The Lieutenant Governor lays before the Legislative Council the Blue Book for the Year 1851, 1852. Government House, March 1st, 1853.

Ordered, That the same do lie on the Table.

Mr. *Swabey*, by leave, presented the following Petitions, and the same were severally received and read, viz:—

A Petition of divers Inhabitants of Brackley Point, Township Number Thirty-three, praying that this House will concur with the House of Assembly, in granting a Sum of Money towards the completion of the Dyke across the Marsh, near the North Shore.

A Petition of divers Traders, Fishermen, and Farmers, resident in Cascumpec, setting forth, that many accidents have occurred to Shipping, owing to the want of a Harbor Light, and praying the favorable consideration of this House.

A Petition of divers Inhabitants of Cascumpec, praying that this House will sanction a Grant of Money by the House of Assembly, in aid of individual Subscription, for the erection of a Wharf in the Harbor of Cascumpec.

A Petition of divers Inhabitants of Townships Numbers Thirty-seven and Thirty-eight, South side of the Head of Hillsborough River, praying aid to repair a Bridge.

A Petition of divers Inhabitants of Township Number Twenty-five, praying that this House will sanction a Grant of Money in aid of a Road in that District.

A Petition of divers Inhabitants of Murray Harbor, setting forth the unfortunate and distressed situation of one Richard Freze, who has lately become a heavy burthen on Petitioners, and praying the favorable consideration of this House in his behalf.

A Petition of divers Inhabitants of Cardigan and Grand Rivers, Townships Numbers Fifty-four and Fifty-five, praying aid to extend the Wharf at Cardigan.

Ordered, That the several foregoing Petitions do lie on the table.

The Bill intituled An Act to amend the Act relating to the Recovery of Small Debts, was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Attorney General* 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.

Mr. *Holl*, by leave, presented the following Petitions, and the same were severally received and read, viz:—

A Petition of certain Shareholders in a Building, now in course of erection at Princetown Royalty, for the purposes of a Mechanics' Institute, and for holding Public Meetings, and praying aid towards the completion of the same.

A Petition of divers Inhabitants of the South side of Brudnell and North side of Montague River, praying aid to erect a Bridge across the Montague, near Sargeant's Mill.

A Petition of divers Inhabitants of Township Number Thirty-two, praying that a Law may be enacted to prohibit the going at large of Swine, within a circuit of Ten Miles from Charlottetown.

Ordered, That the several foregoing Petitions do lie on the table.

Mr. *Dingwell*, by leave, presented the following Petitions, and the same were severally received and read, viz:—

A Petition of divers Inhabitants of Bay Fortune Road, Townships Numbers Fifty-five and Fifty-six, setting forth, that Petitioners have suffered much loss, owing to a violent Storm of Wind and Hail, which destroyed their Crops, in the Month of July last, and praying relief.

A Petition of divers Inhabitants of Townships Numbers Eleven, Twelve and Thirteen, praying aid to repair a Road in that District.

A Petition of William Mackie, of Bay Fortune, praying that this House will sanction a grant of Money, to remunerate him for extra work performed on Bay Fortune Bridge.

A Petition of divers Inhabitants of the First Electoral District of Prince County, praying that this House will sanction a Grant of Money in aid of a Bridge across the Grand or Ellis River.

A Petition of James Ross, of Savage Harbor, praying remuneration for his Services as a Teacher.

A Petition of divers Inhabitants of the Eastern Section of King's County, praying aid to erect a Drawbridge across Souris River.

Ordered, That the several foregoing Petitions do lie on the table.

The Bill intituled an Act for the amendment of an Act made and passed in the Sixth Year of the Reign of Her Majesty Queen Victoria, intituled An Act to repeal an Act passed in the Twenty-first Year of the Reign of King George the Third, intituled An Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates, and to make other Provisions in lieu thereof—was read a second time.

Adjourned until to-morrow, at One o'clock.

WEDNESDAY, 2d March, 1853.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Attorney General*,
Mr. *Rice*,
Mr. *Swabey*,

The Hon. Mr. *Hensley*,
Mr. *Birnie*,
Mr. *Dingwell*.

PRAYERS.

READ the proceedings of yesterday.

Mr. *President*, by leave, presented the following Petitions, and the same were severally received and read, viz.:—

A Petition of the Trustees of the School attached to the Roman Catholic Chapel, in Charlottetown, praying that this House will sanction a Grant of Money in aid of the said School, wherein a number of poor Children are taught.

A Petition of divers Inhabitants of Georgetown and vicinity, praying that the Public Sales of Crown Lands may, in future, be held in Georgetown, as formerly.

Ordered, That the said Petitions do lie on the Table.

A Message from the House of Assembly, by the Hon. Mr. Coles, with a Bill, intituled An Act relating to certain Leases and Monetary Obligations, entered into before the passing of the Currency Act—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

Mr. *Hensley*, by leave, presented a Petition of Daniel Brenan, Charles Young, and others, Shareholders in the Charlottetown Gas Company, praying for an Act to incorporate the present and future holders of Stock in the said Company.

The said Petition was read, and ordered to lie on the Table.

Adjourned until to-morrow at Two o'clock.

THURSDAY, 3d March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Haythorne*,

Mr. *Dingwell*.

PRAYERS.

READ the proceedings of yesterday.

Mr. *Dingwell*, by leave, presented the following Petitions, and the same were severally received and read, viz:

A Petition of divers Inhabitants of South side of Grand River, Township Number Fifty-five, praying that this House will sanction a grant of money in aid of two Bridges on the Road leading from Peter Morrison's towards the head of Grand River.

A Petition of divers Inhabitants of Townships Numbers Fifty-four and Fifty-five, praying that this House will sanction a grant of money in aid of the Road leading from Narrow's Creek, to Dingwell's Mill Pond.

A Petition of divers Inhabitants of Grand River, praying that this House will sanction a grant of money in aid of the Road leading from Grand River Portage, to De Gros Marsh.

Ordered, That the said Petitions do lie on the Table.

Mr. *Swabey*, by leave, presented the following Petitions, and the same were severally received and read, viz:

A Petition of divers Inhabitants of Douse's Road, Township Number Fifty-nine, praying that this House will sanction a grant of Money in aid of a Bridge on that Township.

A Petition of Duncan Stewart, of Township Number Fifty-two, praying an alteration in a line of Road which runs through the rear of his Farm.

Ordered, That the said Petitions do lie on the Table.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act for the amendment of an Act passed in the Sixth year of the Reign of Her Majesty Queen Victoria, intituled An Act to repeal an Act made and passed in the Twenty-first year of the Reign of King George the Third, intituled "An Act relating to Wills, Legacies and Executors, and for the settlement and distri-

bution of the Estates of Intestates, and to make other provisions in lieu thereof." After some time, the House was resumed, and Mr. *Attorney General* 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 to-morrow, at One o'clock.

FRIDAY, 4th March, 1853.

PRESENT :

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

The Hon. Mr. *Birnie*,

Mr. *Rice*,

Mr. *Dingwell*.

Mr. *Hensley*,

PRAYERS.

There not being a Quorum,

Adjourned until Monday next, at One o'clock.

MONDAY, 7th March, 1853.

PRESENT :

The Hon. Mr. *Rice*,

The Hon. Mr. *Birnie*,

Mr. *Hensley*,

Mr. *Haythorne*.

The Hon. Mr. *Rice* sat President.

There not being a Quorum,

Adjourned until *Wednesday* next, at One o'clock, to enable the Legislative Council to attend the Funeral of the Hon. Mr. *Hobroyd*, late a member of this House, which will take place to-morrow.

WEDNESDAY, 9th March, 1853.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Rice*,

Mr. *Swabey*,

The Hon. Mr. *Hensley*,

Mr. *Birnie*,

Mr. *Haythorne*.

PRAYERS.

READ the proceedings of Thursday last.

A Message from the House of Assembly, by the Hon. Mr. Coles.

House of Assembly, Tuesday, March 1, 1853.

Resolved, That an humble Address be presented to Her Majesty the Queen, setting forth the impracticability of substituting the Militia for the regular Troops, to perform Garrison duty in this Colony, as well as shewing why the Colony is not prepared to assume the burthen of providing for this Service, as suggested by His Grace the Duke of Newcastle, in his Despatch of the 29th January last, and praying Her Majesty, that she will cause a Detachment of the regular Force to be continued in the Garrison of this Island, as usual; and that the Legislative Council be requested, by Message, to join in the said Address.

Ordered, That the Hon. Mr. Coles, the Hon. Colonial Treasurer, the Hon. Mr. Whelan, Mr. Longworth, Mr. Wightman, and the Hon. Mr. Lord, be a Committee on the part of this House, to prepare the said Address.

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

Resolved, That this House do agree to join the House of Assembly in an Address to Her Majesty the Queen, setting forth the impracticability of substituting the Militia for the regular Troops to perform Garrison duty in this Colony, as well as shewing why the Colony is not prepared to assume the burthen of providing for this Service, as suggested by His Grace the Duke of Newcastle, in his Despatch of the 29th January last, and praying Her Majesty, that she will cause a detachment of the regular Force to be continued in the Garrison of this Island, as usual.

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

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

A Message from the House of Assembly, by the Hon. Mr. Lord, with a Bill intituled, An Act to regulate the working of Mills on the Brooks and Rivers of this Island, to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

Mr. *Birnie*, by leave, presented the following Petitions, and the same were severally received and read, viz:—

A Petition of divers Landholders, Inhabitants of Georgetown, and others, praying that this House will sanction a Grant of Money to continue the Road leading from the Head of Victoria Street, in Georgetown, to Charlottetown.

A Petition of William Cooper and John Macintosh, setting forth, that Petitioners, together with John W. Le Lacheur, when Members of the House of Assembly, were ordered into the custody of the Sergeant at Arms, where they remained during two Sessions, in the Years 1837 and 1838, and deprived, for that time, of the usual allowance voted to Members; that in the subsequent Session, the House of Assembly ordered the entries on the Journals, relating to the charges preferred against them to be expunged, and voted to each of them upwards of Sixty Pounds, but which vote was not concurred in by the Legislative Council,—and praying that this House will sanction the Grant of an Allowance to Petitioners, as also to John W. Le Lacheur, who is absent from the Island

A Petition of divers Inhabitants of New Bideford, Township Number Twelve.

A Petition of divers Inhabitants of Township Number Thirteen—severally praying for aid to improve their Road communications.

A Petition of divers Inhabitants of Township Number Sixty-five, praying that this House will sanction a Grant of Money to extend the Wharf at McEwen's Point.

A Petition of Anastatia Macdonald, praying that this House will sanction a Grant of Money to aid her endeavours in qualifying herself for the Office of a Teacher, under the Free Education Act.

A Petition of divers Inhabitants of Townships Numbers Forty-eight and Forty-nine, praying that this House will concur with the House of Assembly in granting a Sum of Money for rendering the Slips and Landing-places, at the Charlottetown Ferry, available for the objects intended.

Ordered, That the several foregoing Petitions do lie on the table.

Adjourned until to-morrow, at One o'clock.

THURSDAY, 10th March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,

The Hon. Mr. *Hensley*,
 Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*.

PRAYERS.

The Hon. Mr. *Holl* sat President.

READ the proceedings of yesterday.

Mr. *Rice* from the joint Committee of the Council and Assembly, appointed to prepare an Address to Her Majesty the Queen, praying that a Detachment of the regular Force may be continued in the Garrison of this Island, as usual, reported the Draft of an Address, as prepared by the joint Committee, and the same was read and agreed to, and is as followeth:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN;

We, your Majesty's dutiful and loyal Subjects, the Legislative Council and Assembly of Prince Edward Island, in Colonial Parliament assembled, humbly beg leave to renew our assurance of devoted loyalty and attachment to your Majesty's Person and Government; and beg to lay at the foot of the Throne our prayer, that the small portion of your Majesty's Land Forces, now for many years stationed in this Island, may not be removed, as appears to be contemplated by a Despatch received from the Right Honorable the Duke of Newcastle, bearing date the Twenty-ninth day of January last.

In all the varied circumstances of your Majesty's faithful subjects in this Island, it is impossible to ensure their peace and independence without the aid of a regular and permanent Military Force, on which to fall back, should any adverse circumstances, external or otherwise, arise.

We beg respectfully to remind your Majesty, that our insular position is such that in the Winter Season, the possibility of receiving assistance from any other Colony is entirely precluded, and in this respect, we are in an entirely different position from any other of your Majesty's Dominions; nor should it be forgotten, that, during the Fishing Season, there frequently occurs a great influx of Foreign and other Vessels in many of our Bays and Ports, where the Inhabitants are exposed to the consequences of the usual habits by which persons engaged in such pursuits are characterised, and to contend with which, local and civil Authority is wholly inadequate.

The existing Militia Laws, or any others which could be devised, could only supply materials for aiding your Majesty's Troops, but none for adequately supplying their place.

This Colony, having so recently been called upon by the Imperial Government to provide for its Civil List, is unable to make provision for a permanent Military Force, in addition to its other burdens: whilst its position, without such Force, would be in a particular manner exposed to intrusion; and not only its peace, but its national Independence endangered; nor can we conceive that there can be any reasons, if the subject were well considered by your Majesty's Government, why this Colony should be selected to be altogether abandoned to its own resources, and the Imperial, no less than the Colonial, interests be thereby very seriously compromised.

We therefore humbly request, that your Majesty will take the premises into your gracious and favourable consideration.

And as in duty bound, we shall ever pray.

A Message from the House of Assembly, by the Hon. Mr. Coles.

In the House of Assembly, Thursday, March 10, 1853.

“Resolved, That a Committee be appointed to join a Committee of the Legislative Council, to prepare an Address to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to transmit the joint Address of both Houses to Her Majesty, praying that a Detachment of the regular Force may be continued in the Garrison of this Island, as usual.

“Ordered, That the same Committee who prepared the Address to Her Majesty be a Committee, on the part of this House, to prepare the said Address to His Excellency.

“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, to prepare the said Address to His Excellency the Lieutenant Governor.

Ordered, That the same Committee who prepared the Address to Her Majesty, be a Committee, on the part of this House, to prepare the said Address to His Excellency.

Ordered, That the said Resolution be communicated by Message to the House of Assembly.

Mr. *Rice*, from the joint Committee of the Council and Assembly, appointed to prepare the said Address to His Excellency, reported the Draft of an Address, as prepared by the joint Committee, and the same was read and agreed to, and is as followeth:—

To His Excellency SIR ALEXANDER BANNERMAN, Knight, Lieutenant Governor and Commander in Chief, in and over Her 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;

The Legislative Council and Assembly, having had under their consideration the Despatch of His Grace the Duke of Newcastle, of the 29th January last, suggesting the probable removal of Her Majesty's regular Troops from this Island, have prepared an humble Address to Her Majesty on the subject

matter thereof, and now respectfully request that your Excellency will be pleased to forward the same, in order to its being laid at the foot of the Throne; and also that your Excellency will be pleased to give the prayer of the Address your powerful recommendation.

Ordered, That the same Committee who prepared the Address, be a Committee on the part of this House to wait upon His Excellency with the same.

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

Adjourned until to-morrow at One o'clock.

FRIDAY, 11th March, 1853.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

P R A Y E R S .

READ the proceedings of yesterday.

Mr. *Rice*, from the joint Committee of the Council and Assembly, appointed to wait on His Excellency the Lieutenant Governor, with the Address requesting that His Excellency will be pleased to transmit the joint Address of both Houses to Her Majesty, praying that a Detachment of Troops may be continued in the Garrison of this Island, as usual, reported the delivery thereof; and that His Excellency was pleased to say, he would have much pleasure in forwarding their Address, as requested.

The Hon. Mr. *Swabey* laid before the House, Copy of the Warrant Book for the past year.

Ordered, That the same do lie on the Table.

A Message from His Excellency the Lieutenant Governor was delivered by the Hon. Mr. Secretary Warburton, and the same was read and is as followeth:—

A. BANNERMAN, Lieutenant Governor.

The Lieutenant Governor lays before the Legislative Council Copy of an Order of Her Majesty in Council, dated 7th February, 1853, confirming an Act, No. 851, intituled, "An Act relating to Light and Anchorage Duties."

Government House, March 10, 1853.

Ordered, That the same do lie on the Table.

[See Appendix No. 15.]

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to amend the Act relating to the Recovery of Small Debts." After some time, the House was resumed, and Mr. *Swabey* 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 received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

A Message from the House of Assembly by the Hon. Mr. Coles, with a Bill intituled "An Act to extend the Elective Franchise."

Also—a Bill intituled "An Act to amend the Law of Evidence"—to which they desire the concurrence of the Legislative Council.

The said Bills were severally read a first time.

The Bill intituled "An Act for further improving the Administration of Criminal Justice," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and had made a certain amendment thereto.

Ordered, That the Report of the Committee be received.

The said amendment was then read and is as followeth:

Folio 23, line 7.—After the word "perjury," insert "or other Offence."

The said amendment being read a second time, was agreed to by the House.

Ordered, That the said amendment be engrossed, and that the Bill, as amended, be read a third time on Monday next.

Adjourned until Monday next at One o'clock.

MONDAY, 14th March, 1853.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Attorney General*,
Mr. *Swabey*,
Mr. *Hensley*,

The Hon. Mr. *Birnie*,
Mr. *Dingwell*.

There not being a Quorum,

Adjourned until to-morrow at One o'clock.

TUESDAY, 15th March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Hon. Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
Mr. *Attorney General*,
Mr. *Rice*,
Mr. *Swabey*,
Mr. *Hensley*,

The Hon. Mr. *Birnie*,
Mr. *Haythorne*,
Mr. *Dingwell*,
Mr. *Beete*,
Mr. *Beaton*.

PRAYERS:

READ the proceedings of Friday last.

Pursuant to order, the Bill intituled, "An Act for further improving the Administration of Criminal Justice," was, as amended, read a third time.

Resolved, That the said Bill, as amended, do pass.

Ordered, That a Message be sent to the House of Assembly, acquainting them that this House have passed the said Bill, with an amendment, to which they desire their concurrence.

Mr. *Swabey* laid before the House the Semi-annual Report of the Visitor of District Schools for King's County.

Ordered, That the same do lie on the Table.

[See Appendix No. 16.]

A Message from the House of Assembly, by the Hon. Colonial Treasurer, with a Bill intituled, "An Act to authorise a further issue of Treasury Notes"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

Mr. *Attorney General*, by leave, presented the following Petitions, and the same were severally received and read, viz:—

A Memorial of F. N. Gisborne, Representative of the Newfoundland and Prince Edward Island Electric Telegraph Company, praying for an Act to incorporate the said Company.

A Petition of the Sons of Temperance, and others, praying that a Law may be passed for the immediate and total annihilation of the Liquor Traffic in this Island, similar in its leading features to those recently enacted by the States of Maine, Massachusetts and Rhode Island.

Ordered, That the said Petitions do lie on the Table.

A Message from the House of Assembly by the Hon. Mr. Coles, with a Bill intituled, "An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale, Leasing and Management thereof, and for other purposes therein mentioned"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

According to order, the House was called over.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Rice*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Haythorne*,

Mr. *Dingwell*,

Mr. *Beete*,

Mr. *Beaton*.

The Bill intituled, "An Act to amend the Law of Evidence," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Attorney General* 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.

Mr. *Beaton*, by leave, presented the following Petitions, and the same were severally received and read, viz:—

A Petition of divers Inhabitants of Orwell Head, and its Vicinity.

A Petition of divers Inhabitants of Grand River, Township Number Fourteen.

A Petition of divers Inhabitants of Township Number Forty-nine,—severally praying aid to improve their Road communications.

A Petition of divers Inhabitants of Grand River, Township Number Fourteen, praying the favorable consideration of this House in behalf of William McNeill, an aged, blind and infirm person.

Ordered, That the several foregoing Petitions do lie on the table.

Adjourned until to-morrow, at One o'clock.

WEDNESDAY, 16th March, 1853.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

PRAYERS.

READ the proceedings of yesterday.

The Honorable Mr. *Attorney General*, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House, an extract of a Despatch from Earl Grey to His Excellency Sir Alexander Bannerman, dated 29th November, 1851, in reference to the One-ninth Bill.

Also—Copy of a Despatch from Sir Alexander Bannerman to Earl Grey, on the same subject—which were read.

Ordered, That the same do lie on the Table.

[See Appendix No. 17.]

A Message from the House of Assembly by the Hon. Mr. Coles.

Mr. President;

The House of Assembly have agreed to the amendment made by the Legislative Council to the Bill intituled, "An Act for further improving the Administration of Criminal Justice," without any amendment.

Mr. *President*, by leave, presented a Petition of divers Inhabitants of Prince Edward Island, interested in the expenditure of the Public Revenues of the said Island, praying that the grant in aid of a Packet between Bedeque and Shediac may be discontinued in future.

The said Petition was read, and ordered to lie on the Table.

On motion, that the Bill intituled "An Act relating to certain Lease and Monetary Obligations entered into before the passing of the Currency Act"—be read a second time.

It was moved in amendment, that the said Bill be read a second time this day three months.

The House divided on the motion of amendment.

CONTENTS:

Mr. *President*,
Mr. *Holl*,
Mr. *Hensley*.

NON-CONTENTS:

Mr. *Attorney General*,
Mr. *Rice*,
Mr. *Swabey*,
Mr. *Birnie*,
Mr. *Haythorne*,
Mr. *Dingwell*,
Mr. *Beete*,
Mr. *Beaton*.

And it passed in the negative.

The Question being put on the original motion, the House again divided, and it passed in the affirmative.

The said Bill was accordingly read a second time.

Adjourned until to-morrow at One o'clock.

THURSDAY, 17th March, 1853.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Rice*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Haythorne*,

Mr. *Dingwell*,

Mr. *Beete*,

Mr. *Beaton*.

P R A Y E R S .

READ the proceedings of yesterday.

Mr. *Swabey*, by leave, presented a Petition of Matthew Greenan, of Township Number Twenty-six, whose family are in afflictive circumstances, and praying pecuniary aid.

The said Petition was read, and ordered to lie on the Table.

Mr. *Beaton*, by leave, presented the following Petitions, and the same were severally received and read, viz:—

A Petition of divers inhabitants of Georgetown;

A Petition of divers inhabitants of Murray Harbour Road, and Township Number Fifty-seven;

A Petition of John Curley, of Township Number Forty-nine—severally praying aid to improve their Road communication;

A Petition of Martin M'Dougall, praying remuneration for his services as a Licensed Teacher, at Belle Creek, for the past six months;

A Petition of Bridget Conway, of Township Number Forty-seven, widow, in indigent circumstances, with a helpless family, and praying relief;

Ordered, That the several foregoing Petitions do lie on the table.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act relating to certain Lease and Monetary Obligations entered into before the passing of the Currency Act." After some time, the House was resumed, and Mr. *Attorney General* reported, that the Committee had gone through the Bill, and had agreed to the same, without any amendment.

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

CONTENTS:

Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

NON-CONTENTS:

Mr. *President*,
 Mr. *Holl*,
 Mr. *Hensley*.

And it passed in the affirmative.

The Bill intituled "An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale, Leasing and Management thereof, and for other purposes therein mentioned," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Swabey* 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 to-morrow, at One o'clock.

FRIDAY, 18th March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

PRAYERS.

READ the proceedings of yesterday.

On motion, that the Bill intituled, " An Act relating to certain Lease and Monetary Obligations, entered into before the passing of the Currency Act," be read a third time, the Question being put, the House divided.

CONTENTS:

Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

NON-CONTENTS:

Mr. *President*,
 Mr. *Holl*,
 Mr. *Hensley*,

And it passed in the affirmative.

On motion, that the said Bill do pass, the Question being put, the House again divided, and it passed in the affirmative.

Ordered, That a Message be sent down to the House of Assembly acquainting them that this House have passed the said Bill without any amendment.

DISSENTIENT—Because this Bill contains all the provisions, and is the same in substance, as an Act which passed the Legislature of this Island in the Year 1851, to which the assent of Her Majesty has not been given, and as far as His Excellency the Lieutenant Governor has informed the Legislative Council, by extracts from Despatches from the Secretary of State for the Colonies, has not been refused, and is said to be under consideration of Her Majesty: and the same view of it is entertained by the Lieutenant Governor himself, as appears from his Speech at the opening of the present Session; and it is undeniable, and has not been asserted by the supporters of this measure, that any leave, express or otherwise, has been given by Her Majesty for this virtual re-enactment of the Act of 1851, although by a different Title, and, apparently, as if only with a view of supplying an omission in the Currency Bill of 1849. Therefore, I consider the passing of the present Act, if even unobjectionable in itself, unnecessary and improper legislation, until the will of Her Majesty the Queen, in respect to the former Act, is announced,—and if, as it may, with good reason, be contended, the withholding of Her Majesty's assent to the Act in question is a virtual disallowance of it, consequently the passing of this Act is contrary to the Royal Instructions, which have ever been deemed our Constitution and Charter, and by which this General Assembly is bound and ought to be governed in its legislation, as a dependency of the British Crown; an extract from which Instructions is as follows:—
 " And it is our further will and pleasure, that you do not re-enact any Law to which the assent of us, or our Royal Predecessor, has once been refused, without express leave for that purpose first obtained from us, upon a full representation by you to be made to us, through one of our Principal Secretaries of State, of the reasons and necessity for passing such Law."

Because I consider, that the present and former Act are both strongly objectionable, inasmuch as, contrary to a well-known and acknowledged principle in legislation, both are *ex post facto* Laws, and will have the effect of making void Leases for terms of Years, and Contracts and Agreements, voluntarily entered into between Landlords and Tenants—a principle which, if once admitted in Legislation, will destroy all confidence in the stability and security even of future compacts between such parties.

DONALD MACDONALD.

18th March, 1853.

DISSENTIENT—Because a Bill, having like provisions, was passed by the Legislature of the Colony, during the Session of 1851, on which occasion, the Minority of the Council protested in the following terms, viz:—

“DISSENTIENT—Because a Bill similar in its provisions to those of the present Bill, with the exception of the Proviso added in Committee, was unanimously rejected by this House in the Session of 1849, which, at the same time, passed the following Resolutions on the subject:

“Resolved, That it is the opinion of this Committee, that all future Rents for Land, held under Lease, or under Agreements for Lease, should, in Equity, be paid at the Rate in which, heretofore, such Rents have been demanded and paid, such Rate having been the interpretation which Proprietors or their Agents have, for a series of years put upon their own Contracts,’ viz:

“Where payments for Rent have been demanded and discharged in Currency, they should hereafter be demanded and discharged in Currency.’

“Where the same shall have been demanded in Sterling and discharged in Currency, by adding One-ninth, they should hereafter be demanded and discharged at the same Rate.’

“And where the same shall have been demanded and discharged in British Sterling, they should hereafter be demanded and discharged in British Sterling.’

“Resolved further, that while the Committee thus expresses its opinion founded on the conviction of the justice and propriety of such an arrangement, it is also the opinion of the Committee, that until the said Proprietors or their Agents attempt to enforce a demand on other terms than those which usage has established, it would be unwise and impolitic to anticipate such a course on the part of the Proprietors, by any compulsory Legislative interference’—

“And which Resolutions, although expressive of the opinion of this House, as to the construction *which in Equity* ought to be put upon the payment of Rents reserved in Sterling, or British Sterling, and classed under the respective heads set forth therein, yet declares it to be the opinion of this House, that until the Proprietors, or their Agents, attempt to enforce a demand of Rent, on other terms than those which usage has established, it would be unwise and impolitic to anticipate such a course by any compulsory Legislative interference.

“Because we are of opinion, that no circumstances have since arisen which call now for the interference by the Legislature in this matter, and it is our conviction, that the

unnecessary agitation of this question will have an effect directly opposite to that intended by the promoters of the measure, which, as an *ex post facto* Law goes to annul and make void, *quoad* the Rent reserved, contracts and demises for terms of years (most of them terms for 999 years) under seal entered into, in many cases half a century ago, and that the attempt, by Legislative enactment, to set aside such Contracts and demises will naturally provoke opposition also, from many parties who heretofore have never demanded more than One-ninth, in addition to the Sterling, in which those Rents are payable, and who, in all probability, may never have intended to demand more, and because we are of opinion, that such opposition will inevitably result in the disallowance of this Bill, and thus a new and fertile source of discontent be engendered between many Landlords and their Tenants, in this Colony.

Because, admitting for argument's sake, and for that alone, the reason assigned by the mover and seconder of the motion, for the second reading of this Bill (both members of the Executive Government of this Colony), to be a valid one, viz: that it is in contemplation by the Imperial Government, to assimilate the Currency throughout the British North American Colonies, and to make the same British Sterling, instead of the Currency now by Law established in these Colonies; it was, in our opinion, both necessary and expedient, that the Despatch alluded to by one of these Honorable Gentlemen in debate (of which Despatch this House had no previous knowledge or intimation) and stated to be now in possession of the Executive Government of this Colony, or such part thereof as is relevant to this Bill, should have first been laid before this House.

Because, we conceive that if, at any time heretofore, any reasonable expectation existed, that such a Bill as the present one, if passed by the Legislature of this Colony, would have received Her Majesty's allowance, such expectation is, in our opinion, now entirely hopeless, and we are led to this conclusion, from the tenor of a Despatch from the Secretary of State for the Colonies, to Lieutenant Governor Sir A. Bannerman, dated the 12th of February last, recently laid before the House of Assembly by His Excellency, in which, whilst His Excellency is enjoined "to use all the influence he may possess, to *induce Owners of Land and their Tenants to come to an amicable arrangement* with each other, and to give his best assistance with a view to passing any Legislative measure which may be required to *complete such arrangement*;" His Excellency is required "not to fail to recollect and to impress upon the Legislature, the necessity of abstaining from the introduction into such Law of any provision, which may infringe the rights of property;" and as the present Bill is not pretended to be sought to be passed *as the result of any amicable arrangement with the owners of Land*, and does, in our opinion, in several respects, infringe the rights of property, we believe, if even assented to by His Excellency, it will be disallowed by Her Majesty, and therefore, in our opinion, no good end can be subserved by its passing this House, but, in all probability, the very opposite, as tending to foster that ill-feeling unhappily too prevalent in this Colony, between the Owners of Land and their Tenants.

ROBERT HODGSON, } (Since appointed
 JOHN M. HOLL, } Chief Justice.)
 CHARLES HENSLEY.

DISSENTIENT—Because, further, the Bill of 1851, not having been finally disposed of by Her Majesty's Secretary of State for the Colonies, is sufficient to convince us that the present Bill is altogether unnecessary and uncalled for.

Because the present Bill, (a Government measure) though differing in Title, has provisions equally affecting the point at issue between Landlord and Tenant, with that of 1851—an admission made by the Mover and Seconder of the Bill, (both members of the Executive Government of this Colony).

Because a difference of opinion exists between the said members of the Executive Government, as to the actual position of the Bill of 1851—the Mover of the present Bill conceiving that the former Bill *is disallowed*, in which case the Government is acting in direct contravention of the Eighteenth Section of the Royal Instructions, viz.: “And it is our further will and pleasure, that you do not re-enact any Law to which the assent of us or our Royal Predecessors has once been refused, without express leave for that purpose first obtained from us, upon a full representation by you, to be made to us, through one of our Principal Secretaries of State, of the reasons and necessity for passing such Law.”

The Seconder—that *no final answer* has been given by the Secretary of State for the Colonies respecting the said Bill, believing that further information relating to certain provisions of this Bill is required—in such case the matter is out of the hands of the Legislature; and we are of opinion, that all further legislation is out of place, until after the necessary information shall have been afforded to the Colonial Office, by the Executive Government of the Colony, and Her Majesty's pleasure be known.

JOHN M. HOLL,
CHARLES HENSLEY.

18th March, 1853.

A Message from the House of Assembly by the Hon. Mr. Coles, with a Bill intituled, “An Act relating to the Highways in Charlottetown Common and Royalty, and certain other parts of Queen's County, and to the performance of Statute Labour, and the expenditure of Public Moneys therein”—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled, “An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale, Leasing and management thereof, and for other purposes therein mentioned.” After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had made further 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.

Ordered, That Mr. *Holl* have leave to absent himself to-morrow.

Adjourned until to-morrow at One o'clock.

SATURDAY, 19th March, 1853.

The Council met, pursuant to adjournment.

PRESENT :

The Hon. Mr. *Attorney General*,
 Mr. *Rice*,
 Mr *Swabey*,
 Mr. *Hensley*.

The Hon. Mr. *Birnie*,
 Mr. *Dingwell*,
 Mr. *Beete*.

PRAYERS :

The Hon. Mr. *Attorney General* sat President.

READ the proceedings of yesterday.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to amend the Free Education Act passed in the Fifteenth Year of the Reign of Her Majesty Queen Victoria." After some time, the House was resumed, and Mr. *Swabey* reported that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

Mr. *President* presented to the House a Bill to establish a Savings Bank in Prince Edward Island, and the same was read a first time.

The Bill intituled, "An Act relating to the Highways in Charlottetown Common and Royalty, and certain other parts of Queen's County, and to the performance of Statute Labor, and the expenditure of Public Money therein"—was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Swabey* reported that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

A Message from the House of Assembly, by the Hon. Colonial Treasurer, with a Bill intituled, "An Act relating to the mode of proceeding against Lands on the several Townships in Prince Edward Island, and the Islands contiguous thereto, for the recovery of Arrears of Land Assessment"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

Mr. *Swabey*, from the Select Committee, to whom was referred the Bill to regulate the mode of summoning Grand and Petit Jurors—reported from the Committee, that they had gone through the Bill, and had made several amendments thereto, which they beg leave to recommend to the adoption of the House.

Ordered, That the Report of the Committee be received.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill and Report. After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, together with the Report of the Select Committee thereon, and had made several amendments thereto.

Ordered, That the Report of the Committee be received.

The said amendments were then read by the Clerk.

The said amendments being read a second time, were agreed to by the House.

Ordered, That the said Bill, with the amendments, be engrossed, and that the Title be "An Act to regulate the mode of Summoning Grand and Petit Jurors."

Adjourned until Monday next at One o'clock.

MONDAY, 21st March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beaton*.

PRAYERS.

The Hon. Mr. *Holl* sat President.

READ the proceedings of Saturday.

The Hon. Mr. *Attorney General*, a member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House, copy of a joint communication from the Members of the Executive Council, to His Excellency, dated the 4th December, 1851, on the subject of a further issue of Treasury Notes, together with copy of a Despatch from His Excellency to Earl Grey, dated the 2d January, 1852, on the same subject—which were read.

Ordered, That the same do lie on the Table.

[See Appendix No. 18.]

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to amend the Law of Evidence." After some time, the House was resumed, and Mr. *Attorney General* 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 received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

Ordered, That a Message be sent down to the House of Assembly, acquainting them that this House have passed the said Bill, without any amendment.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for the amendment of an Act passed in the Sixth year of the Reign of Her Majesty Queen Victoria, intituled An Act to repeal an Act made and passed in the Twenty-first year of the Reign of King George the Third, intituled 'An Act relating to Wills, Legacies, and Executors, and for the settlement and distribution of the Estates of Intestates, and to make other provisions in lieu thereof.'" After some time, the House was resumed.

Adjourned until to-morrow at One o'clock.

TUESDAY, 22d March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

PRAYERS.
 13

READ the proceedings of yesterday.

The Bill to establish a Savings Bank in Prince Edward Island was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Attorney General* 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 received.

Ordered, That the said Bill be engrossed, and that the Title be "An Act to establish a Savings Bank in Prince Edward Island."

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled, "An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale, Leasing and Management thereof, and for other purposes therein mentioned. After some time, the House was resumed, and Mr. *Swabey* reported that the Committee had gone into the consideration of the said Bill, and they recommend that it be referred to a Select Committee, to report thereon.

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

Ordered, That Mr. *Holl*, Mr. *Swabey* and Mr. *Hensley*, be a Committee for that purpose.

Adjourned until to-morrow, at One o'clock.

WEDNESDAY, 23d March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

PRAYERS.

READ the proceedings of yesterday.

The Bill intituled, "An Act to establish a Savings Bank in Prince Edward Island," was, as engrossed, read a third time.

Resolved, That the said Bill do pass.

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

Mr. *Swabey*, by leave, presented a Petition of the Reverend James Allan, David Lawson and others, Inhabitants of Covehead and Brackley Point, praying that this House will concur with the House of Assembly in granting a Sum sufficient to remunerate James Auld, for the care and maintenance of one 'Ivory Heard,' a native of the United States, who came to the House of the said James Auld in an infirm and delicate state of health on the 1st January last, where he remained until the 16th March instant, when he departed this life,

The said Petition was read, and ordered to lie on the Table.

Mr. *Swabey*, from the Select Committee, to whom was referred the Bill intituled, "An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale, Leasing and management thereof, and for other purposes therein mentioned," reported from the Committee, that they had gone through the Bill, and had directed him to report the same, with certain suggestions, which they recommend to the adoption of the House.

Ordered, That the Report of the Committee be received.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill and Report. After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had made some progress therein, and they recommend that a Conference be desired with the House of Assembly on the subject matter of the said Bill; and further, 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 agreed to.

Ordered, That Mr. *Holl*, Mr. *Swabey* and Mr. *Hensley*, be a Committee to manage the said Conference, to meet in the Conference Room to-morrow, at One o'clock.

Ordered, That the second reading of the Bill intituled, "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the Soil"—do stand as the order of the day for to-morrow.

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

Ordered, That the second reading of the Bill intituled, "An Act to extend the Elective Franchise"—do stand as the order of the day for to-morrow.

Ordered, That the second reading of the Bill intituled, "An Act to authorize a further issue of Treasury Notes"—do stand as the order of the day for Tuesday next.

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

A Message from His Excellency the Lieutenant Governor was delivered by the Hon. Mr. Secretary Warburton, and the same was read and is as followeth:—

A. BANNERMAN, Lieutenant Governor.

The Lieutenant Governor is desirous that the Legislative Council, at its rising to-morrow, should adjourn until Monday the 28th instant.

Government House, March 23, 1853.

Adjourned until to-morrow, at One o'clock.

THURSDAY, 24th March, 1853.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Rice*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Haythorne*,

Mr. *Dingwell*,

Mr. *Beete*,

Mr. *Beaton*.

P R A Y E R S .

READ the proceedings of yesterday.

The Bill intituled, "An Act to regulate the mode of summoning Grand and Petit Jurors" was, as engrossed, read a third time.

Resolved, That the said Bill do pass.

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

A Message from the House of Assembly by the Hon. Mr. Coles.

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 purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale, Leasing and management thereof, and for other purposes therein mentioned"—and have appointed the Hon. Mr. Coles, Mr. Davies, the Hon. Mr. Jardine, Mr. Fraser, Hon. Mr. Thornton, and Mr. Yeo, a Committee to manage the said Conference.

And the names of the Managers being called over, they went to the Conference, and being returned, reported that they had complied with the instructions given them by this House.

According to order the House was called over.

PRESENT :

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

The order of the day for the second reading of the Bill intituled "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the Soil"—being read—

The said Bill was accordingly read a second time.

DISSENTIENT—

Mr. *President*.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time, the House was resumed, and Mr. *Swabey* 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.

In accordance with His Excellency's Message of yesterday, the House adjourned until Monday the 28th instant—at One o'clock.

MONDAY, 28th March, 1853.

PRESENT :

The Hon. Mr. *Holl*,
 Mr. *Swabey*,

The Hon. Mr. *Hensley*,
 Mr. *Birnie*.

PRAYERS :

The Hon. Mr. *Holl* sat President.

There not being a Quorum,

Adjourned until to-morrow at One o'clock.

TUESDAY, 29th March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

PRAYERS.

READ the proceedings of Thursday last.

A Message from the House of Assembly by the Hon. Mr. Lord, with a Bill intituled "An Act relating to the Packet Service between Bedeque and Shediac"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

Mr. *Hensley*, by leave, presented a Petition of S. A. Grubb, A. M. Grubb and others, styling themselves the Vice President and Committee of the Horticultural Society of Charlottetown, praying aid in furtherance of the objects of that Institution.

The said Petition was read and ordered to lie on the table.

Mr. *Beaton*, by leave, presented a Petition of William B. Dean, Joseph L. McDonald, and Robert Boswall, whose names are thereunto subscribed, setting forth, that they are engaged in the prosecution of the Fisheries in and around the Coasts of this Island, and praying that such Laws and regulations may be enacted and adopted for the curing, inspecting and exporting of Fish, as now exist in the neighboring Provinces, and that fit and proper persons may be appointed Fish Inspectors throughout the Island.

The said Petition was read and ordered to lie on the table.

Mr. *Swabey* laid before the House the Annual Report of the Visiter of Schools for Prince County, for the past year.

Ordered, That the same do lie on the Table.

[See Appendix No. 19.]

According to order, the House was called over.

PRESENT:

The Hon. Mr. *Macdonald*, President,
 Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,
 Mr. *Birnie*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

ABSENT:

The Hon. Mr. *Haythorne*.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled, "An Act to secure compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the Soil. After some time, the House was resumed, and Mr. *Birnie* reported, that the Committee had made further 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 the Hon. Colonial Secretary, with a Bill intituled, "An Act to enable the Government of this Island to take possession of Lands when required to erect Light Houses, and for other public purposes, and to pay compensation to the Owners or Occupiers thereof"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

The Bill intituled, "An Act relating to the Packet Service between Bedeque and Shediac"—was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

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

The Bill intituled, "An Act to enable the Government of this Island to take possession of Lands when required to erect Light Houses, and for other public purposes, and to pay Compensation to the Owners or Occupiers thereof"—was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Attorney General* 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.

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

Adjourned until to-morrow, at Eleven o'clock.

WEDNESDAY, 30th March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

PRAYERS.

READ the proceedings of yesterday.

Mr. *Haythorne* informed the House that indisposition prevented him from attending yesterday in his place.

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

According to order the House was called over.

PRESENT:

The Hon. Mr. *Macdonald*, President,
 Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Rice*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*,
 Mr. *Beaton*.

Pursuant to order, the Bill intituled, "An Act relating to the Packet Service between Bedeque and Shediac"—was read a third time.

Resolved, That the said Bill do pass.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled, "An Act to enable the Government of this Island to take possession of Lands when required to erect Lighthouses, and for other public purposes, and to pay Compensation to the Owners or Occupiers thereof." After some time, the House was resumed, and Mr. *Swabey* 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, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled, "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the Soil." After some time, the House was resumed, and Mr. *Birnie* reported that the Committee had gone through the Bill, and had made several amendments thereto.

On motion, that the Report of the Committee be received,
The Question being put, the House divided:

CONTENTS:

Mr. *Attorney General*,
Mr. *Rice*,
Mr. *Swabey*,
Mr. *Birnie*,
Mr. *Haythorne*,
Mr. *Dingwell*,
Mr. *Beete*,
Mr. *Beaton*.

NON-CONTENTS:

Mr. *President*,
Mr. *Holl*,
Mr. *Hensley*.

And it passed in the affirmative.

The said amendments were then read, and are as follow:

Folio 3, last line—Strike out from the word "name," to the word "arbitration," in folio 4, line 10, both inclusive, and insert—"names of three fit and proper persons being Freeholders, resident in Prince Edward Island, to be nominated by such Tenant or Lessee, for the purpose of such arbitration; and in case the claim for compensation shall not be acceded to by such Landlord, his Agent or Attorney, or adjusted by agreement between the parties, such Landlord shall, within twenty days after the delivery of such

“ notice, select one of the said three persons, so nominated as aforesaid, by such
 “ Tenant or Lessee as an Arbitrator, and shall thereupon serve upon such Tenant or
 “ Lessee, a notice of such selection, and also insert in such notice, the names of three
 “ fit and proper persons, being Freeholders, resident in Prince Edward Island, to be
 “ nominated by such Landlord, his Agent or Attorney, for the purpose of such Arbitration;
 “ and such Tenant or Lessee shall, within Twenty days after the delivery of
 “ such last mentioned notice, select one of the said three persons so nominated as
 “ aforesaid by such Landlord, his Agent or Attorney, as an Arbitrator, and thereupon
 “ give notice thereof in writing to the said Landlord, his Agent or Attorney.”

Folio 4, line 11—Strike out the words “ by the Tenant or Lessee, and the,” and insert “ as aforesaid.”

Same folio, line 12—Strike out the word “ Landlord.”

Same folio, same line—Strike out the words “ a third Arbitrator being.”

Same folio, line 13—After the word “ person,” insert “ being a Freeholder.”

Same folio, same line—After the word “ Island,” insert “ as a third Arbitrator.”

Folio 5, last line—After the word “ direct,” insert the following Proviso:—

“ Provided always, That no Tenant or Lessee who shall have allowed more than
 “ four years' Rent to have run in arrear, or who shall have systematically delayed
 “ paying Rent, or who shall fraudulently have removed, sold, or allowed to be sold off
 “ his premises, his Stock or Produce whereon the Landlord could have distrained; or
 “ who shall have obstructed any Bailiff in the Execution of his duty, for the recovery
 “ of Rent, shall be entitled to receive compensation under this Act.”

Folio 6, last line—After the word “ Arbitrator,” insert “ being a Freeholder.”

Folio 8, line 3—Strike out from the word “ an” to the word “ being,” in line 4, both inclusive.

Same folio, line 4—After the word “ person,” insert “ being a Freeholder.”

Same folio, line 5—After the word “ Island,” insert “ as an Arbitrator or Valuator.”

Folio 11, line 13—After the word “ tenancy,” insert “ provided that the length of occupancy, and the
 “ consequent profit for a series of years, be part of the consideration in awarding or
 “ otherwise, any amount of compensation.”

Folio 15, line 4—Strike out from the word “ so,” to the word “ amount,” in line 11, both inclusive, and
 insert “ be determined by the Arbitrators.”

The said amendments being read a second time, and the question of concurrence being put on each, the House divided—

And it passed in the affirmative.

Mr. *Holl* then moved the following amendment:

“ Nothing in this Act contained shall extend to, or in any manner affect Leases or
 “ Contracts heretofore entered into, or now existing, but the operation and provisions
 “ thereof shall be prospective only, and shall extend only to, and affect Leases and
 “ Contracts hereafter to be made and entered into.”

And the question of concurrence being put thereon, the House divided:

CONTENTS:

Mr. *President*,
Mr. *Holl*,
Mr. *Hensley*.

NON-CONTENTS:

Mr. *Attorney General*,
Mr. *Rice*,
Mr. *Swabey*,
Mr. *Birnie*,
Mr. *Haythorne*,
Mr. *Dingwell*,
Mr. *Beete*,
Mr. *Beaton*.

And it passed in the negative.

Ordered, That the amendments be engrossed, and that the Bill, as amended, be read a third time to-morrow.

The order of the day for the second reading of the Bill intituled "An Act to extend the Elective Franchise"—being read,

On motion, that the House do go into the order of the day,

It was moved in amendment, that the order of the day be discharged, and that the further consideration of the said Bill be deferred until next Session, and that in the meantime, the Bill be printed, for the information of the Public.

The House divided on the motion of amendment:

CONTENTS:

Mr. *President*,
Mr. *Holl*,
Mr. *Hensley*,
Mr. *Haythorne*.

NON-CONTENTS:

Mr. *Attorney General*,
Mr. *Rice*,
Mr. *Swabey*,
Mr. *Birnie*,
Mr. *Dingwell*,
Mr. *Beete*,
Mr. *Beaton*.

And it passed in the negative.

It was then moved in amendment, that the further consideration of the said Bill be deferred until after the next General Election, and that in the meantime the Bill be printed, for the information of the Public.

The House divided on the motion of amendment:

CONTENTS:

Mr. *President*,
Mr. *Holl*,
Mr. *Rice*,
Mr. *Hensley*,
Mr. *Haythorne*.

NON-CONTENTS:

Mr. *Attorney General*,
Mr. *Swabey*,
Mr. *Birnie*,
Mr. *Dingwell*,
Mr. *Beete*,
Mr. *Beaton*.

And it passed in the negative.

The question being put on the original motion, the House again divided:

CONTENTS:	NON-CONTENTS:
Mr. <i>Attorney General</i> ,	Mr. <i>President</i> ,
Mr. <i>Rice</i> ,	Mr. <i>Holl</i> ,
Mr. <i>Swabey</i> ,	Mr. <i>Hensley</i> .
Mr. <i>Birnie</i> ,	
Mr. <i>Haythorne</i> ,	
Mr. <i>Dingwell</i> ,	
Mr. <i>Beete</i> ,	
Mr. <i>Beaton</i> .	

And it passed in the affirmative.

The Bill was accordingly read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Swabey* reported that the Committee had gone through the Bill, and had agreed to the same, without any amendment.

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

CONTENTS:	NON-CONTENTS:
Mr. <i>Attorney General</i> ,	Mr. <i>President</i> ,
Mr. <i>Rice</i> ,	Mr. <i>Holl</i> ,
Mr. <i>Swabey</i> ,	Mr. <i>Hensley</i> ,
Mr. <i>Birnie</i> ,	
Mr. <i>Haythorne</i> ,	
Mr. <i>Dingwell</i> ,	
Mr. <i>Beete</i> ,	
Mr. <i>Beaton</i> .	

And it passed in the affirmative.

The said Bill was read a third time.

On motion, that the said Bill do pass, the question being put, the House divided, and the names being called for, they were taken down as in the last preceding division, —and it passed in the affirmative.

Ordered, That a Message be sent down to the House of Assembly, acquainting them that this House have passed the said Bill, without any amendment.

A Message from the House of Assembly by Mr. *Davies*.

In the House of Assembly, Thursday, March 30, 1853.

“ Resolved, That a Message be sent to the Legislative Council, requesting their Honors will permit the Honorable the *Attorney General*, one of their Members, to attend a Special Committee of the House of Assembly, to whom was referred the Petition of Neil Darrach, of Township Number Sixty-five, to be examined before the said Committee.”

Resolved, That the Honorable the *Attorney General* have leave to attend the Special Committee of the House of Assembly to whom was referred the Petition of Neil Darrach, of Township Number Sixty-five, to be examined before the said Committee—if he shall think fit.

Ordered, That the said Resolution be communicated, by Message, to the House of Assembly.

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

Adjourned until to-morrow, at Twelve o'clock.

THURSDAY, 31st March, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Rice*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Haythorne*,

Mr. *Dingwell*,

Mr. *Beete*,

Mr. *Beaton*.

PRAYERS.

READ the proceedings of yesterday.

According to order, the House was called over.

PRESENT:

The Hon. Mr. *Macdonald*, President,

Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Rice*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Haythorne*,

Mr. *Dingwell*,

Mr. *Beete*,

Mr. *Beaton*.

The Order of the Day for the second reading of the Bill intituled "An Act to authorize a further issue of Treasury Notes," being read—

On motion, that the House do go into the order of the day,

It was moved in amendment, that the order of the day be discharged, and that the Bill be read a second time this day three months.

The House divided on the motion of amendment:

CONTENTS:

Mr. *President*,
Mr. *Holl*,
Mr. *Rice*,
Mr. *Hensley*,
Mr. *Birnie*,
Mr. *Haythorne*,
Mr. *Beaton*.

NON-CONTENTS:

Mr. *Attorney General*,
Mr. *Swabey*,
Mr. *Dingwell*,
Mr. *Beete*.

And it passed in the affirmative.

A Message from the House of Assembly, by Mr. Fraser, with a Bill intituled "An Act to amend the Act regulating the Public Wharf of Georgetown, and other Wharfs,"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

Adjourned until to-morrow at One o'clock.

FRIDAY, 1st April, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Hon. Mr. <i>Holl</i> ,	The Hon. Mr. <i>Birnie</i> ,
Mr. <i>Attorney General</i> ,	Mr. <i>Dingwell</i> ,
Mr. <i>Swabey</i> ,	Mr. <i>Beete</i> .
Mr. <i>Hensley</i> ,	

PRAYERS:

The Hon. Mr. *Holl* sat President.

READ the proceedings of yesterday:

Mr. *Swabey* informed the House that indisposition prevents Mr. *President* from attending in his place.

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

A Message from the House of Assembly, by the Hon. Mr. Whelan, with a Bill intituled "An Act relating to the appointment of Constables and Fence Viewers, for Queen's County"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

The Bill intituled "An Act to amend the Act for regulating the Public Wharf of Georgetown, and other Wharfs"—was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Swabey* reported that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

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

Adjourned until Monday next, at Twelve o'clock.

MONDAY, 4th April, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Rice*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Haythorne*,

Mr. *Dingwell*,

Mr. *Becte*.

PRAYERS.

READ the proceedings of Friday last.

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

Mr. President;

The House of Assembly have passed the Bill intituled "An Act to regulate the mode of summoning Grand and Petit Jurors," with certain amendments—to which they desire the concurrence of the Legislative Council.

A Message from the House of Assembly, by the Hon. Colonial Treasurer, with a Bill intituled "An Act to Incorporate the Charlottetown Gas Light Company"—to which they desire the concurrence of the Legislative Council.

A Message from the House of Assembly, by the Hon. Mr. Coles, with a Bill intituled "An Act to Incorporate the Newfoundland and Prince Edward Island Electric Telegraph Company"—to which they desire the concurrence of the Legislative Council.

The amendments made by the House of Assembly, to the Bill intituled "An Act to regulate the mode of summoning Grand and Petit Jurors," were read a first time, and are as follow:

Folio 2, line 3—Strike out the word "Six," and insert the word "Twelve."

Same folio, line 12—After the word "such," add "Postmasters."

Folio 3—From the word "on," in line 2, to the word "Jurors," in line 8, strike out all—both words inclusive, and instead thereof, insert the following: "At the sitting of the Supreme Court therein every year in the months of June and January respectively, return to the Prothonotary thereof, two lists, one containing the names of One hundred and fifty persons selected by him, qualified by their station and intelligence to serve as Grand Jurors, and the other containing the names of Three hundred persons selected by him, and qualified as aforesaid, to serve as Petit Jurors."

Folio 4, line 6—Strike out the words "similar lists."

Same folio, line 7—After the word "respectively," insert the following: "Similar lists of persons qualified as in this Act mentioned to serve as Grand and Petit Jurors therein, save that the list of Grand Jurors for Prince County shall not be required to contain more than One hundred names; nor the list of Petit Jurors more than Two hundred names."

Folio 5, line 2—Strike out the words "Such Lists."

Same folio, line 3—After the word "July," add the following: "respectively similar lists of persons qualified as in this Act mentioned, to serve as Grand and Petit Jurors therein, save that the list of Grand Jurors for King's County shall not be required to contain more than One hundred names; nor the list of Petit Jurors to contain more than Two hundred names."

Folio 6, line 11—Strike out the word "Four," and insert "Six."

Folio 7—Strike out all down to the word "attendance," in the twelfth line, inclusive, and instead thereof insert the following: "Upon any motion made in the Supreme Court, on behalf of Her Majesty, or on motion of any Prosecutor or Defendant in an Indictment or Information

Folio 9, line 12—Strike out the word "immediately."

Folio 10, line 15—At the commencement, insert the following: "returned by the Sheriff."

Folio 11, after line 8, and immediately before the last clause of the Act, insert the following, as a new clause: "This Act shall once in every issuable Term of the Supreme Court in each of the Counties of this Island, be read aloud in open Court, by the Prothonotary, or Deputy Prothonotary, before the charge of the Chief Justice or Presiding Judge is delivered to the Grand Jury."

“ for any misdemeanour in the nature of a *Quo Warranto*, or on motion of any Plaintiff
 “ or Defendant in any cause depending in the said Court, the Justices are required and
 “ authorized to order a Jury to be struck before the proper Officer for the trial of any
 “ issue, in such manner as heretofore Special Jurors have usually, before the passing of
 “ this Act, been struck in the said Court, upon trials at Bar; and in all cases the party
 “ who shall apply for a Special Jury, shall not only pay the Fees for striking such Jury,
 “ but shall also pay all expenses occasioned by the trial of the cause by such Special
 “ Jury; and shall not have any other allowance for the same, upon taxation of costs, than
 “ such party would be entitled unto, in case the cause had been tried by a Common Jury.”

Folio 11, line 11—After the word “Assembly,” insert the following clauses: “ There shall be paid to the
 “ Petit Jurors summoned, and in attendance, at any Term of the Supreme Court, the
 “ sum of Three Shillings each for each day’s actual attendance, the same to be paid by
 “ the Prothonotary, or Deputy Prothonotary, in the same way as Crown witnesses have
 “ heretofore been paid; but any Petit Juror who shall not appear and answer to his
 “ name, on the first day of any Term, when the Jury Panel is called over, as in the pre-
 “ ceding part of this Act regulated, shall forfeit his pay for that day, and on any suc-
 “ ceeding day of the Term on a Jury being called for the trial of any particular cause,
 “ if any Juror shall not be present to answer to his name, when called, (unless he is
 “ engaged on some other Jury impanelled to try another cause,) he shall forfeit his pay
 “ for that day.”

“ The Fee to be paid in all civil causes for the services of each Juror impanelled to
 “ try the same, shall be the sum of Two Shillings for each Juror trying the cause,
 “ (instead of the sum of One Shilling heretofore paid,) and the same shall be paid
 “ by the Plaintiff in the cause to the Prothonotary, or Deputy Prothonotary, before the
 “ Verdict is delivered, and shall, within Six Days after each Term, be paid over, or ac-
 “ counted for, by the Prothonotary, or Deputy Prothonotary, to and with the Treasurer of
 “ this Island, and when paid over, shall remain for the use of the Government thereof.”

In the Title.—Add, at the end thereof, the words “ and to provide remuneration for Petit Jurors.”

The Bill intituled “ An Act to Incorporate the Charlottetown Gas Light Company,”
 was read a first time.

The Bill intituled, “ An Act to Incorporate the Newfoundland and Prince Edward
 Island Electric Telegraph Company”—was read a first time.

The Bill intituled “ An Act to Incorporate the Charlottetown Gas Light Company”
 —was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on
 the said Bill. After some time, the House was resumed, and Mr. *Swabey* reported
 that the Committee had gone through the Bill, and had made a certain amendment
 thereto.

Ordered, That the Report of the Committee be received.

The said amendment was then read, and is as followeth:

Folio 18, line 5—After the word “instalment,” insert the following clause: “That the said Company shall, in the month of January in each year, during the continuance of this Act, transmit to the Office of the Colonial Secretary of this Island, a full Abstract of the Accounts and proceedings of the said Company, for the then past year, for the information of the Lieutenant Governor and Her Majesty’s Executive Council, and of the General Assembly.”

The said amendment being read a second time, was agreed to by the House.

Ordered, That the said amendment be engrossed, and that the Bill, as amended, be read a third time to-morrow.

According to order, the House was called over.

P R E S E N T :

The Hon. Mr. <i>Macdonald</i> , President,	The Hon. Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	Mr. <i>Birnie</i> ,
Mr. <i>Attorney General</i> ,	Mr. <i>Haythorne</i> ,
Mr. <i>Rice</i> ,	Mr. <i>Dingwell</i> ,
Mr. <i>Swabey</i> ,	Mr. <i>Beete</i> .

A B S E N T :

The Hon. Mr. *Beaton*, excused on account of indisposition.

The Bill intituled “An Act to Incorporate the Newfoundland and Prince Edward Island Electric Telegraph Company”—was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Hensley* reported that the Committee had gone through the Bill, and had made several amendments thereto.

Ordered, That the Report of the Committee be received.

The said amendments were then read, and are as follow:

Folio 6, last line—Strike out the word “bring” and insert “render.”

Folio 7, line 1—After the word “Stockholder” insert “liable.”

Folio 11, line 10—Strike out the word “over” and insert “for.”

Folio 12, line 2—Strike out the word “Ten” and insert “Twenty.”

Folio 14, line 11—Strike out the word “transmissible” and insert “transferable.”

Folio 15, last line—After the word “transfer” insert the following clause: “That the said Company shall, in the month of January in each year, during the continuance of this Act, transmit to the Office of the Colonial Secretary of this Island, a full Abstract of the Accounts and proceedings of the said Company, for the then past year, for the information of His Excellency the Lieutenant Governor, and Her Majesty’s Executive Council, and of the General Assembly.”

The said amendments being read a second time, were agreed to by the House.

Ordered, That the said amendments be engrossed, and that the Bill, as amended, be read a third time to-morrow.

The Bill intituled "An Act relating to the appointment of Constables and Fence Viewers for Queen's County"—was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Holl* 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 received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

Adjourned until to-morrow at Ten o'clock.

TUESDAY, 5th April, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Dingwell*,

Mr. *Beete*.

PRAYERS.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. Clark, with a Bill intituled "An Act to establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown, and Prothonotary of Prince Edward Island, for their public Services"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

Mr. *President*, by leave, presented a Petition of John Frost, Fitz and Sewall, Edward Saville and John Matheson, of Grand River, praying that this House will withhold its assent from the imposition of an additional duty of Nine Pence on the exportation of Juniper Knees, as contemplated by the House of Assembly.

The said Petition was read and ordered to lie on the table.

The Bill intituled "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil"—was, as amended, read a third time.

Resolved, That the said Bill, as amended, do pass.

DISSENTIENT—

Mr. *President*,
Mr. *Holl*,
Mr. *Hensley*.

Ordered, That a Message be sent down to the House of Assembly acquainting them that this House have passed the said Bill, with several amendments, to which they desire their concurrence.

The amendments made by the House of Assembly to the Bill intituled "An Act to regulate the mode of summoning Grand and Petit Jurors," were read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said amendments. After some time, the House was resumed, and Mr. *Swabey* 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.

Ordered, That Mr. *Holl* have leave to absent himself to-morrow.

Adjourned until to-morrow at One o'clock.

WEDNESDAY, 6th April, 1853.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Attorney General*,
Mr. *Rice*,
Mr. *Swabey*,
Mr. *Hensley*,

The Hon. Mr. *Birnie*,
Mr. *Haythorne*,
Mr. *Dingwell*,
Mr. *Beete*.

PRAYERS.

READ the proceedings of yesterday.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the amendments made by the House of Assembly to the Bill intituled "An Act to regulate the mode of summoning Grand and Petit Jurors." After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had made further 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 the Hon. Colonial Treasurer, with a Bill intituled "An Act to regulate the Bankruptcy and relief of honest but unfortunate Debtors"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the amendments made to the Bill intituled "An Act to regulate the mode of summoning Grand and Petit Jurors." After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the amendments, and had agreed to the same, without any amendment.

Ordered, That the Report of the Committee be received.

Ordered, That the amendments be read a third time to-morrow.

Adjourned until to-morrow at One o'clock.

THURSDAY, 7th April, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Haythorne*,

Mr. *Dingwell*,

Mr. *Beete*.

PRAYERS:

READ the proceedings of yesterday.

Mr. *President* informed the House that indisposition prevents Mr. *Rice* from attending in his place.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to enable the Government of this Island to take possession of Lands, when required, to erect Light Houses, and for other public purposes, and to pay compensation to the owners or occupiers thereof." After some time the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and had made several amendments thereto, and an alteration in the title.

Ordered, That the Report of the Committee be received.

The said amendments were then read, and are as follow:

Folio 1, line 10—After the word "Light Houses," insert "Lights and Beacons."

Folio 1, line 11—Strike out the word "public" and the word "not"—and after the word "purpose," in the same line, insert "connected therewith."

Folio 2, lines 1 and 2—Strike out from the word "provided" to the word "lands," inclusive.

Same folio, line 9—Strike out the words "and to."

Same folio, line 10—Strike out from the word "enter" to the word "thereof," in line 11, both inclusive.

Folio 3, line 1—Strike out the words "of this Island."

Same folio, line 6—Strike out the word "required," and insert "necessary."

Same folio, same line—Strike out the word "taken" and insert "required."

Same folio, line 7—Strike out the words "possession of."

Same folio, line 8—Strike out the word "taken" and insert "required."

Same folio, line 9—Strike out the word "public."

Same folio, line 10—After the word "purpose" insert "connected with Lights and Beacons."

Folio 4, line 4—Strike out the words "taken possession of or."

Folio 5, line 3—Strike out from the word "taken" to the word "or," in line 4, both inclusive."

Same folio, line 7—Strike out the word "the" and insert "such."

Same folio, same line—Strike out from the word "for" to the word "required," in line 8, both inclusive.

Folio 6, line 4—Strike out from the word "them" to the word "former," in line 6, both inclusive, and insert "the."

Same folio, line 9—Strike out the words "taken possession of" and insert "so required."

Same folio, line 10—After the word "same" insert, "and it shall be lawful, upon tendering such payment, to enter thereon forthwith."

Folio 8, line 12—Strike out the words "Colonial Secretary, or his Deputy," and insert "Attorney General, or in his absence from the Island, to the Solicitor General."

Title, line 4—Strike out the word "public," and after the word "purposes," in same line, insert "connected with Lights and Beacons."

The said amendments being read a second time, were agreed to by the House.

Ordered, That the said amendments be engrossed, and that the Bill, as amended, be read a third time to-morrow.

A Message from the House of Assembly, by the Hon. Mr. Palmer, with a Bill intituled "An Act to alter and add to the Act regulating the Retail of Spirituous Liquors"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

Pursuant to order, the Bill intituled "An Act to Incorporate the Charlottetown Gas Light Company" was, as amended, read a third time.

Resolved, That the said Bill, as amended, do pass.

Ordered, That a Message be sent down to the House of Assembly acquainting them that this House have passed the said Bill, with a certain amendment, to which they desire their concurrence.

Pursuant to order, the Bill intituled, "An Act to Incorporate the Newfoundland and Prince Edward Island Electric Telegraph Company"—was, as amended, read a third time.

Resolved, That the said Bill, as amended, do pass.

Ordered, That a Message be sent down to the House of Assembly, acquainting them that this House have passed the said Bill, with several amendments, to which they desire their concurrence.

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

Adjourned until to-morrow, at Twelve o'clock.

FRIDAY, 8th April, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Dingwell*,
 Mr. *Beete*.

PRAYERS.

READ the proceedings of yesterday.

A Message from the House of Assembly, by the Hon. Mr. Coles:
 Mr. President;

"The House of Assembly desire a further Conference with the Legislative Council on the Bill intituled, "An Act for the purchase of Lands, on behalf of the Government of Prince Edward Island, and to regulate the Sale, Leasing and Management thereof,

and for other purposes therein mentioned;" and have appointed the same Committee who managed the former Conference thereon, a Committee to manage this further Conference."

And also—

Mr. President;

"The House of Assembly desire a Conference with the Legislative Council, on the amendments made to the Bill intituled "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil," and have appointed the Hon. Mr. Coles, the Hon. Colonial Treasurer, Mr. Fraser and Mr. Macaulay a Committee to manage the said Conference."

Resolved, That a further Conference be agreed to as is desired by the House of Assembly, on the Bill intituled "An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale, Leasing and Management thereof, and for other purposes therein mentioned.

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

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

And the names of the Managers being called over, they went to the Conference, and being returned, they reported the substance thereof to the House.

Resolved, 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 secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil.

Ordered, That Mr. *Attorney General* and Mr. *Haythorne* be a Committee to manage the said Conference, to meet in the Conference Room at One o'clock.

A Message from the House of Assembly by the Hon. Mr. Jardine, with a Bill intituled "An Act for appropriating certain Moneys therein mentioned for the Service of the Year of our Lord One thousand Eight hundred and Fifty-three"—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

The time appointed for holding the Conference with the House of Assembly, on the amendments made to the Bill intituled "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil"—having arrived, and the names of the Managers being called over, they went to the Conference; and being returned, they reported that they had met the Managers for the House of Assembly, who delivered to them the Bill, with the amendments, and also a Paper containing as follows:

The House of Assembly disagree to certain of the amendments made by the Legislative Council to the Bill, intituled "An Act to provide Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil"—for the following reasons, viz:—

BECAUSE—As the first amendment declares, that "no Tenant shall be qualified to be an Arbitrator," on the same principle, no Tenant would be qualified to serve as a Juror, in cases to be tried in the Courts of Law between Landlord and Tenant; as, on the other hand, Tenants may refuse to allow Freeholders to arbitrate, or serve on Juries in similar cases,—the House, therefore, can see no reason to depart from the present practice of choosing Arbitrators, and therefore cannot agree to the said first amendment.

The five succeeding amendments, being contingent on the first,—the House, for the same reasons, cannot agree to them.

The seventh amendment—being a Proviso—the House agree to a part thereof, but disagree to the following, viz: "who shall have allowed more than Four Years' Rent to have "run in arrear, or who shall have systematically delayed paying Rent, or"—because—limiting the Bill to Four Years would not afford that encouragement to a Tenant to improve his Farm which the Bill is intended to carry out, as a Proprietor may allow the Rent to remain unpaid a few months after that time, by feigned indulgence, with a view to evade the Compensation allowed under the Act.

The eighth, ninth, and tenth amendments, being contingent on the first, the same reasons for disagreeing to it, will also apply to them.

The eleventh amendment, the House agree to.

The twelfth amendment would destroy the equitable working of the Bill, and is therefore disagreed to.

The thirteenth is also disagreed to, because, in the opinion of the House, it is not as equitable as the provisions of the Bill proposed to be struck out.

According to order, the House was called over.

P R E S E N T :

The Hon. Mr. <i>Macdonald</i> , President,	The Hon. Mr. <i>Birnie</i>
Mr. <i>Holl</i> ,	Mr. <i>Haythorne</i> ,
Mr. <i>Attorney General</i> ,	Mr. <i>Dingwell</i> ,
Mr. <i>Swabey</i> ,	Mr. <i>Beete</i> .
Mr. <i>Hensley</i> ,	

A B S E N T :

The Hon. Mr. *Rice*—excused on account of indisposition.
Mr. *Beaton*—excused on account of indisposition.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill, intituled "An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale, and Management thereof, and for other purposes therein mentioned." After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

Ordered, That the consideration of the Reasons offered by the House of Assembly at the Conference, on the Bill intituled "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil," do stand as the order of the day for Tuesday next.

The Bill intituled "An Act to alter and add to the Act regulating the Retail of Spirituous Liquors"—was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Holl* 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.

Ordered, That the second reading of the Bill intituled "An Act to establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown and Prothonotary of Prince Edward Island for their public Services"—do stand as the order of the day for to-morrow.

Adjourned until to-morrow, at Twelve o'clock.

SATURDAY, 9th April, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Haythorne*,

Mr. *Dingwell*,

Mr. *Beete*.

PRAYERS.

READ the proceedings of yesterday.

The order of the day for the second reading of the Bill intituled "An Act to establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown and Prothonotary of Prince Edward Island, for their public Services," being read,

On motion, that the House do go into the order of the day,

It was moved in amendment, that the order of the day be discharged, and that the Bill be read a second time this day three months.

The House divided on the motion of amendment:

CONTENTS:

Mr. *Swabey*,
Mr. *Dingwell*,
Mr. *Beete*.

NON-CONTENTS:

Mr. *President*,
Mr. *Holl*,
Mr. *Hensley*,
Mr. *Birnie*,
Mr. *Haythorne*.

Mr. *Attorney General* having declined to vote on the question.

And it passed in the negative.

The question being put on the original motion, the House again divided, and it passed in the affirmative.

The said Bill was accordingly read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time the House was resumed, and Mr. *Holl* reported, that the Committee had made some progress therein, and they recommend that a Conference be desired with the House of Assembly on the subject matter thereof; and further, 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 agreed to.

Ordered, That Mr. *Holl* and Mr. *Haythorne* be a Committee to manage the said Conference, to meet in the Conference Room on Monday next, at One o'clock.

The Bill intituled "An Act for appropriating certain Moneys therein mentioned for the Service of the Year of our Lord One thousand Eight hundred and Fifty-three," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Hensley* 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 Monday next, at Twelve o'clock.

MONDAY, 11th April, 1853.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
Mr. *Attorney General*,
Mr. *Swabey*,
Mr. *Hensley*,

The Hon. Mr. *Birnie*,
Mr. *Haythorne*,
Mr. *Dingwell*,
Mr. *Beete*.

P R A Y E R S :

READ the proceedings of Saturday.

Pursuant to order, the Bill intituled "An Act to enable the Government of this Island to take possession of Lands, when required, to erect Light Houses, and for other public purposes, and to pay compensation to the owners or occupiers thereof," was, as amended, read a third time.

Resolved, That the said Bill, as amended, do pass.

Ordered, That a Message be sent down to the House of Assembly, acquainting them that this House have passed the said Bill, with several amendments, and an alteration in the title, to which they desire their concurrence.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to alter and add to the Act regulating the Retail of Spirituous Liquors." After some time, the House was resumed, and Mr. *Holl* reported, that the Committee had made further progress therein, and they recommend that a Conference be desired with the House of Assembly on the subject matter thereof; and further, 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 agreed to.

Ordered, That Mr. *Swabey* and Mr. *Birnie* be a Committee to manage the said Conference, to meet in the Conference Room at half-past One o'clock.

Mr. *Attorney General*, by leave, presented a Petition of divers Inhabitants of Cra-paud, praying aid to improve their Road communications.

The said Petition was read, and ordered to lie on the table.

A Message from the House of Assembly, by Mr. Clark:

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 establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown and Prothonotary of Prince Edward Island, for their public Services,”—and have appointed the Hon. Mr. Coles, Mr. Clark, Mr. Davies and Mr. Fraser a Committee to manage the said Conference.”

And the names of the Managers being called over, they went to the Conference, and being returned, reported that they had complied with the instructions given them by this House.

A Message from the House of Assembly, by the Hon. 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 alter and add to the Act regulating the Retail of Spirituous Liquors,”—and have appointed the Hon. Mr. Palmer, Mr. Clark, Mr. Davies and Mr. Fraser, a Committee to manage the said Conference.”

And the names of the Managers being called over, they went to the Conference, and being returned, reported that they had complied with the instructions given them by this House.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “ An Act for appropriating certain Moneys therein mentioned, for the Service of the Year of our Lord One thousand Eight hundred and Fifty-three.” After some time, the House was resumed, and Mr. *Hensley* reported that the Committee had made further 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 the Hon. Colonial Treasurer:

Mr. President;

“ The House of Assembly have agreed to the amendments made by the Legislative Council, to the Bill intituled, “ An Act to Incorporate the Newfoundland and Prince Edward Island Electric Telegraph Company,” without any amendment.”

And also—

“ The House of Assembly have agreed to the amendment made by the Legislative Council, to the Bill intituled “ An Act to Incorporate the Charlottetown Gas Light Company,” without any amendment.”

A Message from the House of Assembly by Mr. Fraser, with a Bill intituled “ An Act for raising a Revenue”—to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for appropriating certain Moneys therein mentioned for the service of the Year of Our Lord One thousand eight hundred and fifty-three." After some time, the House was resumed, and Mr. *Hensley* reported, that the Committee had made further 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 Monday next, at Eleven o'clock.

TUESDAY, 12th April, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Swabey*,

Mr. *Hensley*,

Mr. *Birnie*,

The Hon. Mr. *Haythorne*,

Mr. *Dingwell*,

Mr. *Beete*,

Mr. *Beaton*.

PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the amendments made by the House of Assembly to the Bill intituled "An Act to regulate the mode of summoning Grand and Petit Jurors," were read a third time.

Resolved, That the said amendments do pass.

Ordered, That a Message be sent down to the House of Assembly acquainting them that this House have agreed to their amendments, without any amendment.

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

Mr. President;

The House of Assembly desire a further Conference with the Legislative Council on the Bill intituled "An Act to establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown and Prothonotary of Prince Edward Island, for their public Services," and have appointed the same Committee who managed the former Conference thereon, a Committee to manage this further Conference.

Resolved, That a further Conference be agreed to as is desired by the House of Assembly.

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

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

And the names of the managers being called over, they went to the Conference, and being returned, they reported the substance thereof to the House.

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

Mr. President;

The House of Assembly desire a further Conference with the Legislative Council, on the Bill intituled "An Act to alter and add to the Act regulating the Retail of Spirituous Liquors"—and have appointed the same Committee who managed the former Conference, a Committee to manage this further Conference.

Resolved, That a further Conference be agreed to, as is desired by the House of Assembly.

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

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

And the names of the managers being called over, they went to the Conference, and being returned, they reported the substance thereof to the House.

The Order of the Day for the consideration of the reasons offered by the House of Assembly, at a Conference, for disagreeing to the amendments made by this House to the Bill intituled "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil,"—being read—

And the House having had the same under consideration—

It was moved, that this House do not insist on their amendments.

It was then moved, in amendment, that this House *do* insist on their amendments, and that the further consideration of the Bill be postponed for three months.

The House divided on the motion of amendment:

CONTENTS:

Mr. *President*,
Mr. *Holl*,
Mr. *Hensley*,
Mr. *Birnie*,
Mr. *Haythorne*.

NON-CONTENTS:

Mr. *Attorney General*,
Mr. *Swabey*,
Mr. *Dingwell*,
Mr. *Beete*,
Mr. *Beaton*.

And it passed in the negative.

The question being put on the original motion, the House again divided:

CONTENTS:

Mr. *Attorney General*,
 Mr. *Swabey*,
 Mr. *Dingwell*,
 Mr. *Becte*,
 Mr. *Beaton*.

NON-CONTENTS:

Mr. *President*,
 Mr. *Holl*,
 Mr. *Hensley*,
 Mr. *Birnie*,
 Mr. *Haythorne*.

And it passed in the negative.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for appropriating certain Moneys therein mentioned for the Service of the Year of our Lord One thousand Eight hundred and Fifty-three." After some time the House was resumed, and Mr. *Hensley* reported that the Committee had made further progress therein, and they recommend that a conference be desired with the House of Assembly on the subject matter thereof; and further, 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 agreed to.

Ordered, That Mr. *Attorney General*, Mr. *Hensley* and Mr. *Haythorne* be a Committee to manage the said Conference, to meet in the Conference Room instanter.

The Bill intituled "An Act relating to the mode of proceeding against Lands on the several Townships on this Island, and the Islands contiguous thereto, for the recovery of arrears of Land Assessment"—was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Swabey* 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.

The Bill intituled "An Act for raising a Revenue," was read a second time.

On motion, the House came to the following Resolution, viz:

RESOLVED, That the further consideration of the Bill intituled "An Act to regulate the Bankruptcy and relief of honest but unfortunate Debtors"—be deferred until the next Session.

A Message from the House of Assembly, by the Hon. Mr. Coles.

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 appropriating certain Moneys therein men-

tioned for the Service of the Year of our Lord One thousand Eight hundred and Fifty-three,"—and have appointed the Hon. Mr. Coles, the Hon. Mr. Jardine, the Hon. Colonial Treasurer, Mr. Fraser, Mr. McNeill and Mr. Longworth, a Committee to manage the said Conference.

And the names of the Managers being called over, they went to the Conference, and being returned, reported that they had complied with the instructions given them by this House.

Adjourned until to-morrow, at Twelve o'clock.

WEDNESDAY, 13th April, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

The Hon. Mr. *Birnie*,

Mr. *Attorney General*,

Mr. *Haythorne*,

Mr. *Swabey*,

Mr. *Beete*.

Mr. *Hensley*,

PRAYERS:

READ the proceedings of yesterday.

A Message from the House of Assembly, by the Hon. Mr. Coles.

Mr. President;

“The House of Assembly desire a further Conference with the Legislative Council on the Bill intituled “An Act for appropriating certain Moneys therein mentioned, for the Service of the Year of our Lord One thousand Eight hundred and Fifty-three,” and have appointed the same Committee who managed the former Conference thereon, a Committee to manage this further Conference.”

Resolved, That a further Conference be agreed to as is desired by the House of Assembly.

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

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

And the names of the managers being called over, they went to the Conference, and being returned, they reported the substance thereof to the House.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for appropriating certain Moneys therein mentioned for the Service of the Year of our Lord One thousand Eight hundred and Fifty-three." After some time the House was resumed, and Mr. *Hensley* reported that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

On motion, the following Resolution was agreed to, viz.:—

Resolved, That a Committee be appointed to take under its consideration, during the Recess, how far it may be practicable to commute the Sums payable to the Queen's Printer, into a fixed Salary—with power to send for Persons, Papers and Records; and to report, by Bill, or otherwise, in the next Session.

Ordered, That Mr. *Holl*, Mr. *Swabey* and Mr. *Haythorne*, be a Committee for that purpose.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill, intituled "An Act for raising a Revenue." After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had made further progress therein, and they recommend that a Conference be desired with the House of Assembly on the subject matter thereof; and further, 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 agreed to.

Ordered, That Mr. *Swabey* and Mr. *Birnie* be a Committee to manage the said Conference, to meet in the Conference Room to-morrow, at twelve o'clock.

Resolved, That a further Conference be desired with the House of Assembly on the Bill intituled "An Act to alter and add to the Act regulating the Retail of Spirituous Liquors."

Ordered, That the same Committee who managed the former Conference, be a Committee to manage this further Conference, to meet in the Conference Room to-morrow, at half-past twelve o'clock.

Adjourned until to-morrow at Eleven o'clock, for want of a Quorum.

THURSDAY, 14th April, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

The Hon. Mr. *Birnie*,

Mr. *Attorney General*,

Mr. *Haythorne*,

Mr. *Swabey*,

Mr. *Beete*.

Mr. *Hensley*,

PRAYERS.

READ the proceedings of yesterday:

The Hon. Mr. *Swabey* and the Hon. Mr. *Beete* having been called upon to state their reasons for not being present in their places, in the after proceedings of yesterday, and having been severally heard in explanation, the House considered their reasons satisfactory.

A Message from the House of Assembly, by the Hon. Mr. Coles:

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 raising a Revenue,” and have appointed the Hon. Mr. Coles, Mr. Fraser, the Hon. Mr. Lord and Mr. Longworth, a Committee to manage the said Conference.”

And the names of the managers being called over, they went to the Conference, and being returned, they reported the substance thereof to the House.

A Message from the House of Assembly, by the Hon. Mr. Coles.

Mr. President;

“The House of Assembly have agreed to the amendments made by the Legislative Council, to the Bill intituled “An Act to enable the Government of this Island to take possession of Lands, when required, to erect Light Houses, and for other public purposes, and to pay compensation to the owners or occupiers thereof,” without any amendment.”

Also with the following written Message:—

Mr. President;

“The House of Assembly desire a further Conference with the Legislative Council, on the Bill intituled “An Act for raising a Revenue,” and have appointed the same Committee who managed the former Conference thereon, a Committee to manage this further Conference.”

Resolved, That a further Conference be agreed to as is desired by the House of Assembly.

Ordered, That the same Committee who managed the former Conference, be a Committee to manage this further Conference.

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

And the names of the Managers being called over, they went to the Conference, and being returned, reported that they had complied with the instructions given them by this House.

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

Mr. President;

“The House of Assembly do agree to a further Conference, as is desired by the Legislative Council, on the Bill intituled “An Act to alter and add to the Act regulating the Retail of Spirituous Liquors;” and have appointed the same Committee who managed the former Conference thereon, a Committee to manage this further Conference.”

And the names of the Managers being called over, they went to the Conference; and being returned, they reported that they had complied with the instructions given them by this House.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “An Act relating to the mode of proceeding against Lands on the several Townships in this Island, and the Islands contiguous thereto, for the recovery of arrears of Land Assessment.” After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had made further progress therein, and they recommend that a Conference be desired with the House of Assembly on the subject matter thereof; and further, 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 agreed to.

Ordered, That Mr. *Swabey* and Mr. *Birnie* be a Committee to manage the said Conference, to meet in the Conference Room instanter.

A Message from the House of Assembly, by the Hon. Colonial Treasurer:

Mr. President;

The House of Assembly do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled “An Act relating to the mode of proceeding against Lands on the several Townships in this Island, and the Islands contiguous thereto, for the recovery of arrears of Land Assessment; and have appointed the Hon. Colonial Treasurer, Mr. Macaulay, Hon. Mr. Coles and Hon. Mr. Lord, a Committee to manage the said Conference.

And the names of the managers being called over, they went to the Conference, and being returned, reported that they had complied with the instructions given them by this House.

A Message from the House of Assembly, by the Hon. Colonial Treasurer:

Mr. President;

The House of Assembly desire a further Conference with the Legislative Council, on the Bill intituled "An Act relating to the mode of proceeding against Lands on the several Townships in this Island, and the Islands contiguous thereto, for the recovery of arrears of Land Assessment;" and have appointed the same Committee who managed the former Conference thereon, a Committee to manage this further Conference."

Resolved, That a further Conference be agreed to as is desired by the House of Assembly.

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

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

And the names of the Managers being called over, they went to the Conference, and being returned, they reported the substance thereof to the House.

On motion that the Bill intituled "An Act to establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown and Prothonotary of Prince Edward Island, for their public services," be re-committed to a Committee of the whole House—the question being put, the House divided:

CONTENTS:

Mr. *President*,

Mr. *Holl*,

Mr. *Hensley*,

Mr. *Birnie*,

Mr. *Haythorne*.

NON-CONTENTS:

Mr. *Attorney General*,

Mr. *Swabey*,

Mr. *Beete*.

And it passed in the affirmative.

The House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Holl* reported, that the Committee had made some progress therein, and they recommend that a further conference be desired with the House of Assembly on the subject matter thereof; and further, that he was directed by the Committee to move that they may have leave to sit again.

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

CONTENTS:

Mr. *President*,
 Mr. *Holl*,
 Mr. *Hensley*,
 Mr. *Birnie*,
 Mr. *Haythorne*.

NON-CONTENTS:

Mr. *Attorney General*,
 Mr. *Swabey*,
 Mr. *Beete*.

And it passed in the affirmative.

Ordered, That the same Committee who managed the former Conferences thereon be a Committee to manage this further Conference, to meet in the Conference Room instanter.

On motion of Mr. *Attorney General*, that it be an instruction to the Managers, at the further Conference on the said Bill, to suggest that the last Clause of the Bill be struck out, and a suspending Clause be inserted therein,—the question being put, the House divided:

CONTENTS:

Mr. *Attorney General*,
 Mr. *Swabey*,
 Mr. *Beete*.

NON-CONTENTS:

Mr. *President*,
 Mr. *Holl*,
 Mr. *Hensley*,
 Mr. *Birnie*,
 Mr. *Haythorne*.

And it passed in the negative.

A Message from the House of Assembly, by the Hon. Mr. Coles.

Mr. *President*;

“The House of Assembly do agree to a further Conference, as is desired by the Legislative Council, on the Bill intituled “An Act to establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown and Prothonotary of Prince Edward Island, for their public services;” and have appointed Mr. Clark, the Hon. Mr. Coles, Mr. Davies, and the Hon. Colonial Treasurer, a Committee to manage this further Conference.”

And the names of the Managers being called over, they went to the Conference; and being returned, they reported that they had complied with the instructions given them by this House.

On motion, that the further consideration of the Bill intituled “An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the Soil,” be postponed for six months—

The question being put, the House divided:

CONTENTS:

Mr. *President*,
 Mr. *Holl*,
 Mr. *Hensley*,
 Mr. *Birnie*,
 Mr. *Haythorne*.

NON-CONTENTS:

Mr. *Attorney General*,
 Mr. *Swabey*,
 Mr. *Beete*.

And it passed in the affirmative.

Adjourned until to-morrow, at Eleven o'clock.

FRIDAY, 15th April, 1853.

The Council met pursuant to adjournment.

PRESENT:

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,
 Mr. *Attorney General*,
 Mr. *Swabey*,
 Mr. *Hensley*,

The Hon. Mr. *Birnie*,
 Mr. *Haythorne*,
 Mr. *Beete*.

PRAYERS.

READ the proceedings of yesterday:

Resolved, That a further Conference be desired with the House of Assembly on the Bill intituled "An Act relating to the mode of proceeding against Lands on the several Townships in this Island, and the Islands contiguous thereto, for the recovery of arrears of Land Assessment."

Ordered, That the same Committee who managed the former Conferences thereon, be a Committee to manage this further Conference, to meet in the Conference Room instanter.

A Message from the House of Assembly, by the Hon. Colonial Treasurer:

Mr. President;

"The House of Assembly do agree to a further Conference, as is desired by the Legislative Council, on the Bill intituled "An Act relating to the mode of proceeding against Lands on the several Townships in this Island, and the Islands contiguous thereto, for the recovery of arrears of Land Assessment," and have appointed the same Committee who managed the former Conferences thereon, a Committee to manage this further Conference."

And the names of the Managers being called over, they went to the Conference, and being returned, reported that they had complied with the instructions given them by this House.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to alter and add to the Act regulating the Retail of Spirituous Liquors." After some time, the House was resumed, and Mr. *Swabey* reported that the Committee had gone through the Bill and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

On motion, the following Resolution was agreed to, viz:—

Resolved, That a Committee be appointed to consider of and draw up such further or additional Rules and Standing Orders as may be considered necessary for governing the proceedings of this House, and to report the same next Session.

Ordered, That Mr. *Swabey*, Mr. *Hensley* and Mr. *Birnie*, be a Committee in conformity with the above Resolution.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for raising a Revenue." After some time, the House was resumed, and Mr. *Holl* reported that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

A Message from the House of Assembly, by the Hon. Mr. Coles:

Mr. President;

"The House of Assembly desire a further Conference with the Legislative Council on the Bill intituled "An Act to establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown and Prothonotary of Prince Edward Island, for their public services;" and have appointed the same Committee who managed the former Conferences thereon, a Committee to manage this further Conference."

Resolved, That a further Conference be agreed to as is desired by the House of Assembly.

Ordered, That the same Committee who managed the former Conferences thereon, be a Committee to manage this further Conference, to meet in the Conference Room instanter.

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

And the names of the Managers being called over, they went to the Conference, and being returned, they reported the substance thereof to the House.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown and Prothonotary of Prince Edward Island, for their public services." After some time, the House was resumed, and Mr. *Holl* reported, that the Committee had gone through the Bill, and had agreed to the same.

On motion, that the Report of the Committee be received, the question being put the House divided:

CONTENTS:

Mr. *President*,
Mr. *Holl*,
Mr. *Hensley*,
Mr. *Birnie*,
Mr. *Haythorne*.

NON-CONTENTS:

Mr. *Attorney General*,
Mr. *Swabey*,
Mr. *Beete*.

And it passed in the affirmative.

The said Bill was read a third time.

On motion, that the said Bill do pass, the Question being put, the House divided:

CONTENTS:

Mr. *President*,
Mr. *Holl*,
Mr. *Hensley*,
Mr. *Birnie*,
Mr. *Haythorne*.

NON-CONTENTS:

Mr. *Attorney General*,
Mr. *Swabey*,
Mr. *Beete*.

And it passed in the affirmative.

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

The Bill intituled "An Act for raising a Revenue" was read a third time.

Resolved, That the said Bill do pass.

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

The Bill intituled "An Act for appropriating certain Moneys therein mentioned for the Service of the Year of our Lord One thousand Eight hundred and Fifty-three"—was read a third time.

Resolved, That the said Bill do pass.

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

Adjourned until to-morrow, at Eleven o'clock.

SATURDAY, 16th April, 1853.

The Council met pursuant to adjournment.

PRESENT :

The Honorable Mr. *Macdonald*, President.

The Hon. Mr. *Holl*,

Mr. *Attorney General*,

Mr. *Swabey*,

Mr. *Hensley*,

The Hon. Mr. *Birnie*,

Mr. *Haythorne*,

Mr. *Beete*.

PRAYERS.

READ the proceedings of yesterday:

A Message from the House of Assembly, by the Hon. Mr. Coles.

Mr. President;

The House of Assembly desire a further Conference with the Legislative Council, on the Bill intituled "An Act relating to the mode of proceeding against Lands on the several Townships in Prince Edward Island, and the Islands contiguous thereto, for the recovery of arrears of Land Assessment;" and have appointed the same Committee who managed the former Conference thereon, a Committee to manage this further Conference."

Resolved, That a further Conference be agreed to as is desired by the House of Assembly.

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

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

And the names of the managers being called over, they went to the Conference, and being returned, they reported the substance thereof to the House.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act relating to the mode of proceeding against Lands on the several Townships in Prince Edward Island, and the Islands contiguous thereto, for the recovery of arrears of Land Assessment." After some time, the House was resumed, and Mr. *Attorney General* reported, that the Committee had gonethrough the Bill and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

DISSENTIENT—From the passing of the Bill intituled “ An Act to establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown and Prothonotary of Prince Edward Island, for their public services”—for the following Reasons :

First. Because the provisions of this Bill relative to the salary of the Attorney General, without any just reason, alter the enactment contained in the first section of the statute passed in the 14th year of the Reign of Queen Victoria, cap. 3, intituled “ An Act to commute the Crown Revenues of Prince Edward Island, and to provide for the Civil List thereof, as well as for certain compensations therein mentioned,” and which forms the Charter of Responsible Government, most graciously granted by Her Majesty to this Island, and which enacts, that the salary of the present or any future Attorney General shall be the sum of £150 of lawful money of Prince Edward Island per annum, the same to be over and above all fees and allowances then or at the time of the passing of the said Act, allowed by law to the said officer.

Secondly. Because the present Attorney General was appointed under and by virtue of the said Act above referred to, and accepted office upon the terms thereof. That when this Bill was introduced into the House of Assembly, he was never notified thereof, was never required to give any statement of the fees and allowances received by him, was never asked by any member of the Government, or otherwise, if he were willing to commute his fees for any sum of money as a salary in lieu thereof, and was never consulted in any way relative to the provisions of the Bill affecting his yearly income. That he considers such conduct on the part of the House of Assembly not only unjust to him as an individual, but also unconstitutional, and that those members of the Government, viz: Hon. Messrs. Coles, Warburton, Pope, Lord and Jardine, who supported and voted for the Bill, were guilty of a gross violation of their compact with him when he accepted office, and have thus committed a breach of faith, because it was clearly understood that he was to remain in office upon the terms of the said Charter so long as he wished, and so long as the present Government could command a majority in the Assembly.

Thirdly. Because the salary in itself is not a fair commutation for the Attorney General's fees and allowances, and is altogether based upon an unequal footing with that of the Solicitor General. That the salary, fees &c., of the Attorney General amounted to about £450 currency per annum, and which the Assembly reduced first to £300 currency, and then refused to agree to the suggestions of the Legislative Council who raised it to £400 currency, including certain fees received by the Attorney General under the Land Assessment Act, not paid to him by the Government, but by the holders of Land in arrear of Assessment, and which came under the head of private fees. That the Legislative Council then subsequently reduced the salary to £350 currency, and to which the Assembly consented. That the fees received by the Solicitor General amounted, during the year, to an average of about £20 currency,

and the Assembly increased his salary to £100 currency, thereby giving him £80 over and above his fees, and deducted from the salary of the Attorney General at least £100—thereby, in effect, taking a sum of money from the Attorney General to pay the Solicitor General, and which the Attorney General did not consider to be fair or equal handed justice, and to which he could not be a party.

Fourthly. Because the salary of £350 currency, which is equal to £233 6s. 8d. sterling, fixed by the Bill, is altogether inadequate for the salary of the Attorney General. That no such salary would induce a respectable practitioner, having proper qualifications and legal astuteness, to accept the office, as he is obliged, from being a member of the Executive Council, to devote several hours during the best part of three or four days in each month at the Council Board, to spend ten weeks in the year at his Legislative duties, to attend Circuits, keep an efficient Clerk at a salary of at least £50 sterling per annum, and daily to give opinions either to the Government, or to Magistrates, or to Public Officers, so that the greater part of his time is thus necessarily taken up.

Fifthly. Because the fees and allowances of the Clerk of the Crown have been commuted at £160 currency per annum, or £106 13s. 4d. sterling, without his consent and against his wishes, out of which he is required to pay two Deputies, in Prince and King's Counties, and to attend the Circuits at his own expense, a salary altogether inadequate to the duties performed, and to the amount of fees now received by him.

And Sixthly. Because this Bill contains no suspending clause. A suspending clause was moved by the Dissident, in the Legislative Council, to be added to the Bill, but was rejected by those who supported and voted for it.

For these, and other reasons that might be given, the Attorney General, feeling that he could place no confidence in the members of a Government who could be guilty of such injustice, tendered his resignation of the office of Attorney General, and as a member of the Executive Council, to His Excellency the Lieutenant Governor.

CHARLES YOUNG.

DISSENTIENT—Because the Act to commute the Crown Revenues of Prince Edward Island and to provide for the Civil List thereof, as well as for certain compensations therein mentioned, was obtained so recently as April 23d, 1851; which Act surrendered the property of the Crown in this Island, on certain conditions, which this Act violates. These conditions are contained in the first and sixth sections of the said Act, the latter of which is as follows:

“Unto the present or any future Attorney General of this Island, as and for the salary of that Office, the sum of One hundred and Fifty Pounds of lawful current money, as aforesaid, per annum. The same to be over and above all fees and allowances now or at the time of the passing of this Act allowed by Law to the said officer.”

Secondly. Because, even if it were admitted that there were any possibility of violating this compact, examination should be had of the value of the Attorney General's fees and those of the Clerk of the Crown, with all the attendant circumstances,

such as whether there may be any increase of duties and services since the passing of the above recited Act, so that a just commutation, if any, might be effected, which has not been done.

Thirdly. Because the proposed sum of £350 is not a fair equivalent for the salary appointed under the above recited Act, and the fees.

Fourthly. Because the Council were of opinion that £400 was a fitting sum in the way of commutation, and have subsequently agreed to the lesser sum, thereby evincing that their opinion was, first of all, that £400 was a more fitting amount.

WILLIAM SWABEY,
J. PICTON BEETE.

Council Chamber, April 15, 1853.

The House took into consideration the Incidental Expenses of the present Session, and allowed the same as follow:

The Reverend Doctor Jenkins, Chaplain to this House, for his services as such,	£33	12	0
Henry Palmer, Esquire, Gentleman Usher of the Black Rod, 56 days, at 10s.	23	0	0
Account of the Clerk of the Council, for Stationery, and including Printing performed by order of the House,	27	12	11
Mr. Henry Douglas Morpeth, for his services as Reporter to this House for the present Session,	42	0	0
John Rider, Messenger to the Council, 61 days, and including his account for sundry Disbursements,	91	19	4
Patrick Furlong, Door-keeper, his allowance for 61 days,	22	17	6

An amount sufficient to pay Mr. John Ings for his services in printing the Journals of the House, agreeably to his Contract—to be paid to him on the Certificate of the Committee appointed to revise the Journals.

Resolved, That the Clerk of this House be directed to prepare an Index to the Journals of the present Session; and that a remuneration of Eighty Pounds be made to him for his extra trouble in preparing said Index, and also for superintending the Printing of the Journals—the same to be paid to him when he shall have obtained from the Committee of this House, appointed to revise the Journals, a certificate of his having prepared said Index, and superintended said Printing to their satisfaction.

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 attendance of the House of Assembly immediately in the Council Chamber.

The House of Assembly, with their Speaker, having attended accordingly, His Excellency was pleased, in Her Majesty's name, to give his assent to the following Bills, viz:

An Act to amend the Act relating to the recovery of Small Debts.

An Act for further improving the administration of Criminal Justice.

An Act relating to certain Lease and Monetary Obligations entered into before the passing of the Currency Act.

An Act to amend the Law of Evidence.

An Act to extend the Elective Franchise.

An Act relating to the appointment of Constables and Fence Viewers for Queen's County.

An Act to Incorporate the Charlottetown Gas Light Company.

An Act to Incorporate the Newfoundland and Prince Edward Island Electric Telegraph Company.

An Act to regulate the mode of summoning Grand and Petit Jurors.

An Act to enable the Government of this Island to take possession of Lands when required to erect Light Houses, and for other purposes connected with Lights and Beacons, and to pay compensation to the Owners or Occupiers thereof.

After which, the Speaker of the House of Assembly addressed His Excellency as followeth:

May it please Your Excellency;

The Revenue of the past year having considerably exceeded the expenditure, a large portion of the Public Debt of the Colony having been paid off, and the remainder being scarcely equal to three-fourths of one year's public income, the various branches of industry and enterprize in which its population are engaged evincing every symptom of continued activity and prosperity, the House of Assembly have felt warranted in providing not only for the ordinary expenditure, for the repairs of many public works injured by the storms of the preceding season, and for additional provision for Lights and Lighthouses, but also in continuing the Bounty for the encouragement of the Fisheries, and in enlarging the Grant for the improvement of our Agriculture; Therefore, in the name and on the behalf of Her Majesty's faithful Commons of Prince Edward Island, I have now to present several Bills of Aid and Supply voted to Her Majesty during the Session, to which I have humbly to request your Excellency's assent.

An Act to amend the Free Education Act, passed in the Fifteenth year of the Reign of Her Majesty Queen Victoria.

An Act relating to the Highways, in Charlottetown Common and Royalty, and certain other parts of Queen's County, and to the performance of Statute Labour, and the expenditure of public money therein.

An Act relating to the Packet Service between Bedeque and Shediac.

An Act to amend the Act for regulating the Public Wharf of Georgetown, and other Wharfs.

An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale and Management thereof, and for other purposes therein mentioned.

An Act to alter and add to the Act regulating the retail of Spirituous Liquors.

An Act to establish the Salaries payable to the Attorney General and Solicitor General, and Clerk of the Crown and Prothonotary of Prince Edward Island, for their public services.

An Act relating to the mode of proceeding against Lands on the several Townships in Prince Edward Island, and the Islands contiguous thereto, for the recovery of arrears of Land Assessment.

An Act for raising a Revenue.

An Act for appropriating certain Moneys therein mentioned, for the Service of the Year of our Lord One thousand Eight hundred and Fifty-three.

To each of which His Excellency was pleased, in Her Majesty's name, to give his assent.

And then His Excellency was pleased to make the following Speech to both Houses:

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

I am happy to release you from your Legislative duties, and to thank you for your attention to the public business of the Colony during the Session.

The measures which you have passed will soon obtain publicity through the usual channel; and those important Acts to which suspending clauses are attached, will, when forwarded to the Secretary of State, be accompanied by explanations, which it is my duty to offer to Her Majesty's confidential advisers, before such Acts are submitted for the consideration of the Queen.

Mr. Speaker and Gentlemen of the House of Assembly:

The Supply which you have placed at the disposal of the Executive, for the public service, will be applied to the purposes for which it has been voted.

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

I take this opportunity to express my satisfaction at your having abstained from taking any course which might have impeded those negotiations, which, I announced at the opening of the Session, had commenced between Her Majesty's and the United States' Governments on the fishery question. A new treaty has been prepared, and is under the consideration of the high contracting parties to the Convention of 1818, by whom alone that Convention can be abrogated or modified. I sincerely trust, that this important question will be amicably settled; but should it unfortunately happen otherwise, you have, in my opinion, entitled yourselves to that protection along your shores, where American subjects themselves admit they have no right to fish, and from which only they were excluded during the last season by Her Majesty's cruisers.

A few days ago I received from Washington a voluminous report on the Fisheries. In a note appended to that report, page 462, it is stated:—

1. "This year every vessel which visits the harbours of Prince Edward Island is obliged to pay another tax, which is called Anchorage Dues. As almost all of our vessels visit the Island, this new duty about doubles the tax on them."

2. "It is said that the duty paid by our vessels is for the support of their Lighthouses. But where are their Lighthouses? There is no Light on the whole Northern Coast of Prince Edward Island, which is most visited by our fishermen, &c. Our fishing vessels alone pay light duty sufficient to have the coast well lighted."

3. "The officers who collect those duties admit that they are unjust; but still they say, their Government must impose them. And how are they collected? The officers at the Island offer to take any thing, when the captain hesitates about the paying of specie: they will take molasses, pork, and even oil-clothes. This is a nice way to smuggle in the goods."

As two thousand copies of this report have been ordered to be printed for the use of Congress, that body might justly consider that the subjects of a friendly power were not very courteously treated in Prince Edward Island, if such statements were allowed to pass unnoticed and unexplained.

Now, it is admitted that "almost all the American fishing vessels visit the Island." This admission is an important one; for it proves the value which is attached to such a fishing station in the Gulf of St. Lawrence. But they not only "visit the Island," but they fish within half a mile of its shores, and, during the season, they frequent and occupy our harbors, in fifties and a hundred at a time. And if they are charged Anchorage Duties for such accommodation, the Act which imposes a tax on American vessels levies the same tax on Provincial fishing vessels, and all British ships, and the ships of other nations. The duties collected are expressly appropriated by law for the purposes of Navigation, in erecting Beacons and Lights, and laying down Buoys, and however often ships may enter our ports, Anchorage Dues are only exacted from each of them once within the year.

It is also stated, "there is no Light on the Northern Coast of Prince Edward Island." With regret I admit the fact. But I am happy to think that several are now in the progress of construction; and I trust the Colony will follow the example of the Light-house Board, recently established in the United States, who wisely refer the sites to be chosen for Lights to experienced Hydrographers.

Lastly.—If any Anchorage Dues have been collected in this Colony in the singular way alluded to in the statement, it is unknown to me, and the gentlemen associated with me in the Executive, who will order a strict investigation to be made on this subject.

In again taking leave of you, I trust that the avocations to which you are returning may be pleasant and profitable; and I sincerely hope that your agricultural pursuits may be crowned with success, and that, in due season, it may please God to bless the people of this Island with an abundant harvest.

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 Sixteenth day of June next; and this General Assembly is accordingly prorogued until Thursday, the Sixteenth day of June next, to be then here holden.

CHARLES DESBRISAY,
Clerk of Legislative Council.

END OF THE FIFTH SESSION.

APPENDIX

TO

THE JOURNAL

OF THE

LEGISLATIVE COUNCIL

OF

PRINCE EDWARD ISLAND,

**FOR THE SESSION COMMENCING THE TENTH DAY OF FEBRUARY,
AND ENDING THE FIFTEENTH DAY OF MAY.**

1853.

APPENDIX TO THE JOURNAL

OF THE

LEGISLATIVE COUNCIL.

No. 1.

COPY OF TREASURY MINUTE, DATED JUNE 29, 1852.

My Lords have before them the Act passed by the Canadian Legislature, on the 31st August, 1851, entitled "An Act to provide for the introduction of the Decimal System into the Currency of this Province, and otherwise to amend the Laws relative to the Currency," which was transmitted to the Board in the letter from the Board of Trade, of the 2nd April last.

My Lords have also before them an Act passed by the Legislature of New Brunswick on the 7th April, 1852, entitled "An Act for establishing a Tender in all payments to be made in this Province, and for consolidating and amending the Laws relating to the Currency therein;" which was submitted to their Lordships in the letter from the Board of Trade of the 3rd instant.

Their Lordships advert to the correspondence which passed between this Board and the Secretary of State for the Colonial Department in the year 1850 and 1851, on the subject of the Currency of Canada.

My Lords have, at the same time, before them a Memorandum dated the 30th December, 1851, prepared by the late Chancellor of the Exchequer, on the general question of the Currency of the British Provinces of North America, a Copy of which Memorandum was communicated confidentially by Lord Grey to the Governor General of Canada, who has stated that it may be taken as a satisfactory basis for the settlement of the question.

This Memorandum was in the following terms:—

"The subject of the Currencies in our North American Colonies has been frequently brought before the Government, by the proposals of various kinds which have been made from the different Provinces; and it is one upon which it is most desirable to arrive at some satisfactory conclusion.

"Nothing can be more unsatisfactory than their present state. The Law and regulations differ in every Colony, and in some instances, the Law and practice differ in the same Colony, and many of the proposals which have been made for remedying partial inconveniences arising from this state of things, would only have added further sources of discrepancy.

"By the existing regulations in Canada, the Eagle of the United States, coined since 1834, contains 232 grains of pure gold, which coin at present forms the basis of the Currency of the Colony, is rated at 50s. Currency.

“ In New Brunswick, the old Eagle, coined previously to the alteration of the Mint Law of the United States, in 1834, containing about 247 grains of pure gold, is rated at 50s.; but it is probable that the new Eagle, though a coin of inferior value, passes at the same rate. In Canada, the silver Dollar is rated at 5s. 1d.; and in this rating are included Spanish and South American, as well as United States coins of this denomination, though differing slightly in intrinsic value, with this exception, which is only trifling, the rate of 5s. 1d. was a correct adjustment (taking the price of Standard Silver at 5s. per ounce) of the Dollar to the Pound Sterling, after the Currency of the Province had become depreciated from the old rate of 5s. for the Silver Dollar, by the admission of the new Eagle into circulation as equivalent to 50s. Canadian Currency, which sum had been formerly payable only by ten Silver Dollars.

“ In New Brunswick, the rate assigned to the United States Dollar is 5s.

“ In Nova Scotia, the Dollar is rated at 5s. 2½d., and other coins are adjusted to that value, calculating silver relatively to Gold, at the average value of 5s. per ounce for Standard Silver.

“ In Newfoundland, there is no legal rating for any coins; but a Dollar is considered to be worth 5s. In Prince Edward Island, where the greatest depreciation has taken place, a Dollar is rated at 6s. 2d., and the half Dollar at 3s.

“ The discrepancies in the Currencies of the different Colonies are not the only, or, indeed, the most pressing inconveniencies which have arisen from the present state of things. As the denomination of Account employed does not, in any case, correspond with the subdivisions of the coins in circulation, there is great difficulty in adjusting the smaller coins to their proportional rates, in reference to the larger coins; and, in order to avoid inconvenient fractions, the former frequently pass, in retail transactions, at a value differing from that which they bear by Law.

“ The rating of all these coins in the different Colonies is derived, with more or less discrepancy, from the Conventional rate of 5s., or one fourth of a Pound, assigned, in old times, to the Spanish Dollar, which was then the usual medium of exchange in the British Colonies. This rate, which was originally an over valuation of the coin, was nominally adhered to after the Dollar became depreciated in value; and, as is usually the case when coins are rated to a new denomination upon no fixed principle, other coins came into circulation, without due regard to their relative intrinsic value, and that coin which was most overvalued, in any Colony, became, for the time, the measure of its Currency.

“ In Prince Edward Island, an extravagant issue of Treasury Notes and Bonds has carried the depreciation to a very much greater length.

“ These sources of error were increased by the course pursued in the United States, in regard to their Currency. In adopting the Decimal system, with the Dollar as the unit of account, the Spanish Dollar was proposed as the basis of the Currency of that country; but in the regulation of its coinage, the proportion of fine silver assigned by law to the United States Dollar was less than that contained in the Spanish Dollar; and the Currency was further depreciated in 1834 by an alteration of the gold coins, which diminished the quantity of pure gold in the Eagle, and reduced its value according to the relative price of silver and gold, below the intrinsic value of 10 Silver United States Dollars.

“ The effect upon the Currency of Canada, when the Dollars and Eagles are both legal tender, has been a corresponding depreciation; for, whereas formerly 50s. Currency could only be paid by 10 Spanish Dollars, it might have been paid for some years by 10 United States Dollars, and it may now be paid by an United States Eagle, which is of less intrinsic value, not only than 10 Spanish Dollars, but than 10 Silver Dollars of the United States.

“ The disproportion above adverted to between the gold and silver coins of the United States has been recently increased by the fall in the value of gold, in consequence of the large supplies of that metal from California. It is understood that some measures are in contemplation for an alteration of the Mint Laws of the United States, with the view of remedying the inconvenience which is at present felt from the want of silver coins.

“ The uncertainty which at present exists with regard to the relative value of the precious metals, while it brings under more prominent notice the inconvenience of the present system, increases the difficulty of adjusting the relative rates of gold and silver coins. It would also be very desirable to know what measures may be adopted by the United States Government upon the subject of their currency, as it would obviously be a convenience to the inhabitants of our Colonies, bordering on the United States, if their currency can be made readily convertible into some denomination of that of the United States.

“ The existing circumstances also show very strongly the evils which have arisen from partial and unconnected proceedings in different Colonies, and give additional reasons against a course of legislation which, proceeding on the principle of correcting inconveniences as they arise, and with little (if any) reference to general principles or more enlarged views, tend only, in the end, to aggravate the difficulties of dealing with the question satisfactorily. It is desirable, therefore, to consider whether some course may not be adopted for placing the currency of the whole of the North American Provinces on a sound and uniform basis.

“ The most obvious measure for this purpose would be that which has been formerly suggested, of superceding the various local currencies, and reverting to the Sterling money and denomination of account, of this country as has been done in our West Indian Colonies.

“ There are, however, some practical difficulties in doing this, and it is understood that objections are entertained in some of the Colonies to this course. The constant intercourse which takes place between the United States and the British Provinces bordering on them, affords a reason for not unnecessarily disturbing a system which, though defective in itself, has the advantage of easy adaptation to the currency of the neighboring country, with which so much intercourse takes place, even in small retail transactions, and this facilitates their description of traffic across the Border. It would appear, therefore, to be the most expedient course, to introduce amendment on the basis of the system which, with minor variations and points of difference, prevails in four of the British North American Colonies, rather than attempt a complete alteration of the existing currency.

“ The coins which at present constitute the basis of the circulation in Canada are, as has been observed, the gold coins of the United States, which correspond in value very conveniently with the denominations of Canadian currency. The Pound Sterling is rated in Canadian currency at £1 4s. 4d., and therefore, looking to the intrinsic value of the Eagle as compared with the Sovereign or Pound Sterling this latter coin is correctly rated at 50s. currency.

“ The legal currency of New Brunswick, though presenting some anomalies, and differing to a slight degree in its relation to British Sterling, probably in practice, assimilates to that of Canada, and might be adjusted without much difficulty to like rates.

“ In Nova Scotia, it does not appear that the United States Eagle is rated for circulation; but gold and silver coins of Spain, Mexico, &c., are correctly adjusted (according to recent valuations) to the local currency, at the rate of £1 5s. currency to the Pound Sterling.

“ In Prince Edward Island, the United States Eagle is slightly undervalued, relatively to the Sovereign, and the currency has been depreciated to the proportion of £1 10s. to the Pound Sterling.

“ In these two Colonies, any change, for the purpose of introducing a sound and uniform system, must lead to some alteration of the value assigned to the Pound currency; and in this case, it will be necessary to make provision for the payment of existing Contracts.

“ In Newfoundland, as has been observed, the rates at which the coins in circulation are current are merely conventional; but as what is usually termed Halifax Currency, or the rating of the Dollar at 5s., appears to be considered as the basis of the currency of the Island, it approximates to that of Canada.

“ Assuming, then, the Canada Pound as the basis of a new arrangement of the currencies of the North American Colonies, it would appear that a Pound of that value might be advantageously adopted as the Pound of all the currencies of the North American Colonies; and that, with the object of giving a clear and fixed value to this denomination of “ Pound North American currency,” a coin might be struck at Her Majesty’s Mint containing 102.32 grains of standard gold, or 92.877 grains of fine gold, which is the proportion in quantity to the Sovereign which the Pound in Canadian currency bears in value to the Pound Sterling; and that such a coin, to be termed the North American Pound, might be taken at the Mint, to which the various currencies of the British Colonies should be adjusted.

“ If the principle of fixing the gold standard, with a coin representing an Unit peculiar to those Provinces, is adopted, it will be necessary to consider what arrangements should be made for a subordinate silver and copper currency.

“ If the attempt is made to adjust silver coins to a gold standard, according to their intrinsic value, a double increase of value is, in effect, constituted, and a slight overvaluation of the coins of either metal will cause a preference to be given to such coins in circulation. It is impossible to arrive at any settlement of the relative value of the two descriptions of coins, on this principle, which will not be liable to disturbance, as the supply of one or other of the precious metals prevails; and it has been found, in practice, that whenever this system has been attempted, the arrangement has ended in one metal alone becoming practically the measure of value.

“ In such cases, a slight undervaluation of the gold coins is attended with less practical inconvenience, than results from an undervaluation of silver coins, because the facilities for transport which gold coins afford, will always give them a preference for some purposes over silver coins, and they may pass in exchange at a small premium (as was the case in France until lately) without disturbing the silver circulation.

“ An undervaluation of the silver coins, on the other hand, is attended with obvious inconvenience; because, as a premium cannot be exacted in the small transactions in which such coins pass in payment, there must, when these coins are undervalued, be a constant tendency to their exportation, and an extraordinary rise in the price of silver, or (which, as regards this matter, produces the same result,) fall in the price of gold, must render it impossible that any such coins, unless they are worn and debased, shall long continue to circulate with the gold coins of the country. The present condition of the currency of the United States (when they have been reduced to coining a Dollar in gold, a piece apparently too small in so valuable a metal, for the purposes of circulation,) affords a pregnant example of this effect. It shows the inexpediency of adopting their valuation of the silver Dollar, as was proposed in Canada, at a time when, in consequence of the undervaluation of that coin, it had mainly disappeared from the circulation of the United States, and even from Canada, when a higher rating was assigned to it.

“ These considerations tend to the conclusion, that there is no other plan on which the subordinate silver coins can be so conveniently adjusted to a gold standard, as that which has been adopted in this

“ Country, of coining silver Tokens of intrinsic value less than that which they represent, for the fractional parts of the Gold Unit, and imposing a limitation on the sum for the payment of which they shall be a legal tender. It would, however, be essential to an efficient working of such a system, that the auxiliary coinage be kept altogether subordinate to that which forms the standard of value; and if the proposed coin be adopted, it will be necessary to devise some means for restricting the quantity of the silver Token coins to be put in circulation within such a limit, as indispensable for the minor transactions of the retail trade of the Provinces.

“ It is true, that a limitation of the tender, as it restricts the use of the coin, will, if strictly observed, contribute to produce this effect, but it may be difficult, in the first instance, to insure the observance of such a regulation in Colonies in which the circulating medium has been subject to frequent changes upon no fixed principle; and depreciation, or, at any rate, inconvenience, would ensue, if, in consequence of too great a facility for obtaining supplies of Token coins, their circulation should be extended beyond the proper requirements of such a description of currency.

“ The extensive use of 5s. currency Notes in Canada, renders it the more necessary that this part of the subject should receive careful consideration.

“ For the reasons already mentioned, in reference to the United States Gold Dollar, it would not be desirable that a gold coin should be struck for circulation in the North American Colonies, of a smaller value than half a Pound Canadian currency; and in such case, the 5s. Note would represent no coin of the same intrinsic value.

“ In the United States, the Dollar Notes have hitherto been payable in coins, either silver or gold, of intrinsic value corresponding with that expressed in the Note; and there have also hitherto existed in the United States, coins of smaller denomination, but still of intrinsic value equal to their denomination in which the Dollar Notes may be paid. If, however, in the North American Provinces, no limitation is placed on the issue of the proposed Token coins, and if Notes for so small a sum as 5s. currency are allowed to circulate to an unlimited extent, each of which can only be paid in a coin of less intrinsic value than the sum represented by the Note, and for several of which Notes, the holders could only demand such Token coins up to the amount for which they are made legal Tender, the effect upon the currency of the Colony cannot but be most prejudicial.

“ If a subordinate silver coinage of this description were established, it would probably be the most convenient course, that it should represent decimal fractions of the proposed Pound. The advantage of a decimal subdivision is obvious, and though the designations of shillings and pence is used in all the North American Colonies, the terms do not agree with the value of any coin in circulation there, and the change, therefore, would not be attended with many of those difficulties which ordinarily attend an alteration of the denomination of account.

“ The establishment of a currency on the above principle would necessarily lead to the exclusion of foreign silver coins from being legal Tenders, except, perhaps, to a limited amount; but the gold coins of the United States might continue to be legal tender at their relative value to the Canadian Pound, subject to an alteration of the rates at which they are admitted as a legal Tender in the event of any alteration in their contents of pure gold; and the coins of Great Britain, as by law established in this Country, with the same limitation on the Tender of the silver coins, would continue to be legal tender.

“ The foregoing observations contain only a general outline of the proposed scheme, the detailed arrangements for carrying out which must be reserved for future consideration.”

December 30, 1852.

B

My Lords concur in the views stated by Sir Charles Wood, in the foregoing Memorandum; and they proceed to consider the Canada and New Brunswick Acts, now before them, with reference to the scheme which is proposed in the Memorandum for an uniform currency in the British North American Colonies.

It would have been more satisfactory if arrangements could have been made for the simultaneous adoption of that scheme throughout those Colonies, or at any rate the three principal Provinces, Canada, Nova Scotia, and New Brunswick; but there is difficulty in obtaining the concurrent action of independent Legislatures on the subject; and my Lords are inclined to hope, that when the proposed plan is established in Canada and New Brunswick, the other Colonies will follow in the same course, and that the important object of an uniform system will thus be sooner obtained, than it would be if Legislation on the subject were suspended until the whole of the Colonies united in the measure.

The Canadian Act was passed before the Government of that Province received any intimation of the views of the late Chancellor of the Exchequer; but with the exception of the Fifth Section, so far as it applies to the silver Dollars and half Dollars of the United States, the provisions of the Act are not inconsistent with the scheme proposed in the Memorandum.

It is not now necessary to enter further into the question of the rating proposed by the Canadian Legislature for the silver Dollar, which formed a subject for discussion in the previous letters from this Board on the subject of the Canadian currency, because the United States Congress has, by an Act passed this year, revised their silver currency, and adopted the measure which was anticipated, of reducing the intrinsic value of their silver coins, and making them a subordinate Token currency, with a limitation of Tender, on a principle analogous to that adopted in this country, in 1816. The silver Dollar, therefore, no longer constitutes an integral part of the currency of the United States; and it will be essential, not only to the scheme proposed by Her Majesty's Government, but also to the object which the Canadian Government has had in view, of assimilating their currency to that of the United States, either that the silver Dollar should be excluded altogether from the circulation of Canada, or, if the United States silver Dollar be rated at all, that a limitation on the Tender be established, similar to that imposed by the recent law of the United States. In this respect, therefore, it will be necessary to revise the Provisions of the Canada Act, now before this Board; and my Lords think it may be left to the Canadian Government either to amend that Act, in order to bring it into conformity with the proposed arrangement, or to introduce a new Act repealing all the existing currency Acts of the Province, and establishing new Regulations, in accordance with the proposed scheme.

The latter course would afford the advantage of bringing the Laws relating to the currency under one view, and of simplifying the regulations on the subject.

It appears to my Lords that, in this case, the enactment to be adopted may be of a very simple character, and would suggest it should contain provisions to the following effect:

I. To declare the Pound currency to be equivalent to, and to represent the quantity of, 101.32 grains of Standard gold, or 92.877 grains of pure gold; and that coins which Her Majesty may think fit to direct, to be struck at Her Majesty's Mint, of that value, or divisions or multiples thereof, and shall declare by Proclamation to be current coin in the British Colonies of North America, shall be the legal Standard measure of value within the Province.

II. That the gold coins of the United Kingdom shall continue to pass current, and be legal tender, at the rates now assigned to them, viz: the Sovereign at £1 4s. 4d. currency, and other coins at equivalent proportions.

III. That the gold coins of the United States, issued from the Mint of that country according to the Laws now in force therein, shall pass current and be legal tender at existing rates, viz: the Eagle at £2 10s. currency, and other coins at equivalent proportions.

IV. That it shall be lawful for the Governor in Council to declare, by Proclamation, that other gold coins shall pass current and be legal tender within the Province at rates proportionate to their contents of pure gold, as compared with the quantity of pure gold assigned to the Pound currency.

V. That no Foreign silver coins shall pass current within the Province.

VI. That British silver coins shall continue to pass current at the rates now assigned to them, until other silver coins shall be issued from Her Majesty's Mint for circulation in the Provinces, but that they shall not be legal tender for sums exceeding 50s. currency.

VII. That silver coins, which Her Majesty may direct to be struck at Her Majesty's Mint, representing One Shilling currency, or other proportionate parts of the Pound currency, and containing the same proportion of Standard silver, with reference to the Pound currency, which the silver coins of the United Kingdom bear to the Pound Sterling, shall pass current within the Province for the value assigned thereto by Proclamation of Her Majesty in Council, but shall not be legal tender for sums exceeding 50s. currency.

Clauses to the foregoing effect would embrace the principal objects for which it is necessary to provide with regard to the proposed coinage; and the adoption of a defined Standard of value would render easy the rating, relatively thereto, of any gold coins which may be hereafter issued from the United States Mint, or of any gold coins of other countries, which it may be desirable to bring into circulation.

My Lords, in considering the proposed arrangements, have adverted to the question whether or not it would be expedient to admit the silver coins of the United States, struck under the new law of that country, into circulation in the British Colonies, with a limitation on the amount for which they may be a legal tender. Their Lordships observe, with reference to this point, that the late Chancellor of the Exchequer has, in the Memorandum above referred to, justly adverted to the importance of restricting the quantity of silver Token coins to be put into circulation within a proper limit, in order to keep such auxiliary coinage altogether subordinate to that which is to form the Standard of value.

My Lords, with a view to this important object, are of opinion that it will be desirable to retain the power of supplying, from time to time, such amount of silver coins as may be required for the retail trade of the Provinces in the hands of Her Majesty's Government, acting in communication with the local Government, and that no Foreign silver coins, therefore, should be admitted into circulation, after the establishment of the proposed system of currency in the North American Provinces.

The arrangement proposed by my Lords would not interfere with the project contemplated in the Canada Act, now before them, for establishing a decimal system of currency in the Province and provisions, for that purpose may easily be incorporated with those above suggested, if the Canada Legislature shall decide upon adopting a new Act, as proposed, for consolidating and amending the laws relating to the currency of the Province.

My Lords observe in the Canada Act, No. 969, a clause which directs that the gold coins to be struck at the Mint shall be legal tender by law, so long as they shall not want more than two grains of Standard weight to be assigned to them by Her Majesty, subject to the same deduction for want of weight as is now provided with regard to British gold coins, and shall also be a legal tender to any amount, by weight, in sums not less than 200 Dollars, or £50 of the present currency, at the same rate, and in the same conditions, as are now provided with regard to British coins.

This clause is an extension of a similar provision contained in the Canada Act 4 and 5 Victoria, Cap. 93, section 5. My Lords are not aware that any practical inconvenience has arisen therefrom; but as gold coins have been little in use in Canada until recently, those in circulation cannot as yet have been subjected to much deterioration by wear, and the effect of the provision cannot, therefore, have been fully tested.

My Lords are of opinion that this provision is very objectionable on principle, as its obvious tendency is to keep light coins in circulation, to the injury of the ignorant and unwary, and they are led to apprehend that when it comes into operation, it may occasion great inconvenience and discontent.

They would therefore strongly recommend, as the preferable course, that power should be given by law (as in the case in this country) to persons to whom light gold may be tendered, to cut, breach, and deface the same. Inconvenience to the public from the adoption of this course would be obviated by an arrangement similar to that adopted in this country, for receiving defective coins, by the Collectors of the Revenue at a fixed rate, and the great advantage of maintaining the currency in its integrity would thus be attained.

The provision is also defective in regard to the allowance for wear, as it gives the same amount for all coins, of whatever weight and value, instead of a proportionate allowance for each. With regard to this point, my Lords are inclined to think that, instead of providing for it by enactment, it would be better that the Proclamation which will give currency to the new coins should assign the weight at which they shall be legal tender; and that, with respect to the gold coins of the United Kingdom, the allowance for loss by wear should be the same as that fixed in the United Kingdom, by Royal Proclamation.

My Lords having thus expressed their opinion, with regard to the Canada Act, No. 969, would suggest that their observations thereon should be communicated to the Governor General through the Secretary of State, and that the Act should not be submitted to Her Majesty in Council, until Her Majesty's Governor shall have ascertained the further measures which the Canadian Legislature may adopt on the subject.

My Lords will be prepared, so soon as the necessary arrangements are completed, to take measures for providing for the issue of the coins required from Her Majesty's Mint. The description of gold coins to be struck are sufficiently indicated in the Memorandum of the late Chancellor of the Exchequer. The names to be assigned to the coins will be fixed by Her Majesty in Council, and it appears to my Lords that the denomination of a "Royal" will be a suitable term to apply to the superior gold coin, which will be of the value of a Pound Canadian currency, equivalent to four United States gold Dollars.

With regard to the silver coins, my Lords apprehend that it will not be necessary to provide any larger coin than a half-Crown (currency), which will be equivalent in circulation to the United States half-Dollar, and that smaller silver coins should consist of Shillings, half-Shillings, and quarter-Shillings, currency. My Lords propose the latter terms, instead of those of Sixpences and Threepences, because, in the event of the proposed decimal question being fully carried out, it will be necessary to divide the Shilling into ten, instead of twelve, Pence—the half-penny would in that case be equivalent to the Cent, United States currency.

My Lords defer the consideration of a subordinate copper currency, until they shall be apprized of the wishes of the Colonial Legislatures on the latter subject. My Lords understand from the provisions, both in the Canadian and New Brunswick Acts, relating to the cost of obtaining and importing the proposed coins, that the preliminary charges will be defrayed by the respective Governments of those Colonies, and as soon as the necessary funds are provided, and intimation is conveyed regarding the quantity of coins of the several descriptions which will be required. My Lords will give directions to the Master of the Mint for proceeding with the coinage, and for supplying the gold coins to the Agents of the local Governments.

With regard to the silver coins, it appears to their Lordships that the most convenient course will be, for Her Majesty's Government to transmit them to the Commissariat Officers in the respective Colonies, with instructions to recover and withdraw from circulation the British silver coins now current in the Colonies, and substitute the new coins for them. The change will thus be effected without charge to the

Colonies, and the seignurage on the silver coinage will indemnify Her Majesty's Government for the expense. With regard to the New Brunswick Act, No. 2143, the provisions of which are framed with a view to carrying into effect the scheme proposed by the late Chancellor of the Exchequer, and which are correct in principle, and calculated to remove the existing anomalies of the currency of that Province, my Lords are of opinion that the same may be properly submitted to Her Majesty for confirmation. Their Lordships, however, entertain doubts whether this Act can be allowed to stand as a permanent settlement of the currency of the Province, inasmuch as they apprehend its provisions will still create difficulty regarding the legality of the tender of the current gold coins of the United States.

The Act legalizes the currency of the United States Eagle, coined between the 1st July, 1834, and the 1st March, 1852; but it does not legalize the currency of the half-Eagles, or other gold coins of that period.

It also empowers the Lieutenant Governor to extend, by Proclamation, the provisions of the Act to the gold coins of the United States, coined on or after the 1st March, 1852; but this can only be done when such coins, "having been assayed at the Royal Mint, shall have been found equal in fineness to the coins mentioned or referred to in this Act." My Lords apprehend that the legal effect of these provisions will be to exclude from circulation coins newly issued from the United States Mint, until they shall have been assayed in this country, and declared, by local Proclamation, to be legal tender. My Lords suggest that, with the view of remedying this difficulty, an amending Act should be passed, in the terms suggested with regard to the Legislation to be adopted in Canada. The clause in this Act regarding the legal tender of the proposed new coins, is open to the same observations, with respect to the circulation of the light coins, as my Lords have offered upon a similar clause in the Canada Act.

My Lords suggest that their remarks upon the New Brunswick Act should be communicated to the Governor General of Canada, as they apprehend it has been prepared in communication with the Canadian Government. They also suggest that the arrangements proposed in the Memorandum of the late Chancellor of the Exchequer, and further developed by this Minute, should be communicated by the Secretary of State to the respective Lieutenant Governors of Nova Scotia, Newfoundland, and Prince Edward Island.

No. 2.

COPY OF A MAP OF PRINCE EDWARD ISLAND,

No. 3.

No. 5.

[COPY.]

At the Court at Buckingham Palace, the 15th May, 1852.

PRESENT:

(L.S.)

THE QUEEN'S MOST EXCELLENT MAJESTY,

HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord President,	Earl of Malmesbury,
Lord Privy Seal,	Lord John Manvers,
Lord Steward,	Mr. Herries,
Duke of Northumberland,	Sir John Pakington, Bart.,
Lord Chamberlain,	Mr. Secretary Walpole,
Marquis of Abercorn,	Mr. Chancellor of the Exchequer,
Earl of Jersey,	Mr. Henley.
Earl of Hardwicke,	

WHEREAS the Lieutenant Governor of Her Majesty's Island Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1851, and February, 1852, pass six Acts, which have been transmitted as follows, viz:

No. 829.—An Act to consolidate the Laws now in force regulating the Sale of the Interest of Leaseholders, when taken in Execution.

No. 830.—An Act further to continue an Act intituled "An Act to regulate the Fisheries of this Island."

No. 831.—An Act to facilitate the intercourse between this Island and the Provinces of Nova Scotia and New Brunswick.

No. 832.—An Act to continue two several Acts therein mentioned, relating to the floating of Logs, Scantling, Deals, and other kinds of Wood, down the Rivers and lesser Streams in this Island.

No. 833.—An Act further to continue an Act relating to Landlord and Tenant.

No. 834.—An Act further to continue an Act regulating Seamen shipped on board of any Ship or Vessel, belonging to Prince Edward Island, whilst within the precincts of the said Island.

And whereas the said Acts have been referred to the Committee of the Lords of Her 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 Her Majesty, that the said Acts should be left to their operation; Her Majesty was thereupon, this day, pleased, by and with the advice of Her Privy Council, to approve the said Report: Whereof the Governor, Lieutenant Governor, or Commander-in-Chief, for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed.)

WM. L. BATHURST.

No. 4.

No. 12.

[COPY.]

At the Court at Buckingham Palace, the 30th day of June, 1852.

PRESENT:

(L.S.)

THE QUEEN'S MOST EXCELLENT MAJESTY,

HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord President,

Lord Privy Seal,

Lord Steward,

Duke of Northumberland,

Lord Chamberlain,

Marquis of Abercorn,

Earl of Derby,

Earl of Hardwicke,

Earl of Malmesbury,

Mr. Herries,

Sir John Pakington, Bart.,

Mr. Secretary Walpole,

Mr. Chancellor of the Exchequer,

Mr. Henleyn.

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in months of May, 1851, and April, 1852, pass six Acts which have been transmitted entitled as follows, viz:

No. 807.—An Act for the encouragement of the Cod and Mackerel Fisheries.

No. 835.—An Act authorising the Harbor and Ballast Masters of the various Harbors and Rivers in this Island, to superintend the laying down, erection and maintenance of the Buoys and Beacons therein.

No. 836.—An Act further to continue an Act relating to Dogs, and the Taxation thereon.

No. 837.—An Act to regulate the publishing of Notices and Advertisements, relating to the Public Service.

No. 838.—An Act to prevent the stealing of Dogs.

No. 839.—An Act to regulate the Office of Colonial Secretary and Road Correspondent of this Island, and the amount of Fees to be taken therein.

And whereas the said Acts have been referred to the Committee of the Lords of Her 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 Her Majesty, that the said Acts should be left to their operation; Her Majesty was thereupon, this day, pleased, by and with the advice of Her Privy Council, to approve the said Report: Whereof the Governor, Lieutenant Governor, or Commander-in-Chief, for the time being, of Her Majesty's Island Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed.)

WM. L. BATHURST.

No. 5.

[COPY.]

At the Court at Osborne House, Isle of Wight, 18th August, 1852.

PRESENT:

(L.S)

THE QUEEN'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord Chancellor,	Earl of Malmesbury,
Lord Privy Seal,	Mr. Herries,
Duke of Northumberland,	Sir John Pakington, Bart.,
Lord Steward,	Mr. Secretary Walpole,
Earl of Derby,	Mr. Chancellor of the Exchequer.
Earl of Hardwicke,	

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the month of February, 1852, pass an Act, which has been transmitted entitled as follows, viz:

No. 828.—An Act to amend the Act providing for the payment of the Civil List of Prince Edward Island, and for the commuting the Crown Revenue thereof.

And whereas the said Act has been referred to the Committee of the Lords of Her Majesty 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 Her Majesty, that the said Act should receive Her Majesty's special confirmation. Her Majesty was thereupon, this day, pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Act, and the same is hereby specially confirmed, ratified, and finally enacted accordingly: Whereof the Governor, Lieutenant Governor, or Commander-in-Chief, for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed.)

WM. L. BATHURST.

No. 6.

[COPY.]

At the Court at Osborne House, Isle of Wight, 18th day of August, 1852.

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY,

HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord Chancellor,	Earl of Malmesbury,
Lord Privy Seal,	Mr. Herreis,
Duke of Northumberland,	Sir John Pakington, Bart.,
Lord Steward,	Mr. Secretary Walpole,
Earl of Derby,	Mr. Chancellor of the Exchequer.
Earl of Hardwicke,	

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the months of April, 1851, and 1852, pass twelve Acts, which have been transmitted, entitled as follows, viz:

No. 797.—An Act to commute the Crown Revenue of Prince Edward Island, and to provide for the Civil List thereof, as well as for certain Compensations therein mentioned.

No. 840.—An Act for the better preventing Accidents by Fire, within Charlottetown and Common thereof.

No. 841.—An Act for appropriating certain Moneys therein mentioned, for the Service of the year of our Lord One thousand Eight hundred and Fifty-two.

No. 842.—An Act to regulate the Sale of Arsenic, and other Poisons therein mentioned.

No. 843.—An Act to consolidate and amend the Laws now in force relating to Division Fences.

No. 844.—An Act to provide a Summary Remedy for Females, in certain cases of Seduction.

No. 845.—An Act to consolidate and amend the Acts now in force regulating the letting of Stalls in Charlottetown Market House, and for other purposes therein mentioned.

No. 846.—An Act to enable Thomas Robson to obtain Letters Patent for a Fog Bell and Horizontal Windmill.

No. 847.—An Act to amend an Act relating to Statute Labor for Charlottetown, its Common and Royalty, and also to Nuisances in and about the same.

No. 848.—An Act relating to the Charlottetown Ferry, and the Wharfs connected therewith.

No. 850.—An Act to incorporate a Temperance Hall Company in Charlottetown.

No. 852.—An Act to facilitate the proving of Wills and Testamentary Dispositions within this Island.

And whereas the said Acts have been referred to the Committee of the Lords of Her 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 Her Majesty, that the said Acts should be left to their operation; Her Majesty was thereupon, this day, pleased, by and with the advice of Her Privy Council, to approve the said Report: Whereof the Governor, Lieutenant Governor, and Commander-in-Chief, for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed.)

WM. L. BATHURST.

No. 7.

[COPY]

At the Court at Windsor, 16th day of October, 1852.

P R E S E N T :

THE QUEEN'S MOST EXCELLENT MAJESTY,
HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord President,
Lord Privy Seal,
Duke of Northumberland,
Earl of Derby,
Earl of Jersey,
Earl of Hardwicke,
Earl of Malmesbury,

Lord John Manvers,
Mr. Herries,
Sir John Pakington, Bart.,
Mr. Secretary Walpole,
Mr. Chancellor of the Exchequer,
Mr. Henleyn.

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the months of May, 1851, and April, 1852, pass sixteen Acts, which, have been transmitted, entitled as follows, viz:

No. 819.—An Act relating to the Office of Registrar of Deeds and Keeper of Plans.

No. 849.—An Act for raising a Revenue.

No. 853.—An Act to amend certain parts of the Law now in force relating to the admission of Barristers, Solicitors and Attorneys, and to make other provisions in addition thereto.

No. 854.—An Act relating to Corporate Bodies.

No. 855.—An Act to amend the Act relating to Corporate Bodies.

No. 856.—An Act to incorporate the Diocesan Church Society of Prince Edward Island.

No. 857.—An Act to continue an Act for the encouragement of Education.

No. 858.—An Act to alter and amend an Act passed in the Sixth Year of the Reign of Her present Majesty, intituled "An Act to alter and amend an Act for the establishment of an Academy in Charlottetown."

No. 859.—An Act relating to the Alewives and other Fisheries, and the appointment of Protectors or Overseers of Fisheries, and to prohibit the taking of Salmon after a certain period of the year, and for other purposes therein mentioned.

No. 861.—An Act to incorporate the Grand Division and Subordinate Divisions of the Order of the Sons of Temperance, in Prince Edward Island.

No. 862.—An Act to alter and amend the Act made and passed in the Second Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate the Minister and Trustees of St. James's Church, in the Town of Charlottetown."

No. 863.—An Act to enable the Royal Agricultural Society of Prince Edward Island to authorise the exportation of the Horse "Saladin" from this Island, on certain conditions.

No. 864.—An Act to continue an Act empowering the Administrator of the Government to shut up Roads or parts of Roads.

No. 865.—An Act to incorporate, in Prince Edward Island, the people called Bible Christians.

No. 866.—An Act relating to the weighing of Coal, Culm, and Coke, in Charlottetown.

No. 868.—An Act to prevent the going at large of Swine and Geese at all Seasons, and of Horses at certain Seasons of the year, in the Square and Streets of Georgetown.

And whereas the said Acts have been referred to the Committee of the Lords of Her 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 Her Majesty, that the said Acts should be left to their operation; Her Majesty was thereupon, this day, pleased, by and with the advice of Her Privy Council, to approve the said Report: Whereof the Governor, Lieutenant Governor, or Commander-in-Chief, for the time being, of Her Majesty's Island Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed.)

WM. L. BATHURST.

No. 8.

[COPY.]

At the Court at Windsor, the 16th day of October, 1852.

PRESENT:

(L.S.)

THE QUEEN'S MOST EXCELLENT MAJESTY,
HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord President,
Lord Privy Seal,
Duke of Northumberland,
Earl of Derby,
Earl of Jersey,
Earl of Hardwicke,
Earl of Malmesbury,

Lord John Manvers,
Mr. Herries,
Sir John Pakington, Bart.,
Mr. Secretary Walpole,
Mr. Chancellor of the Exchequer,
Mr. Henleyn.

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in month of and April, 1852, pass six Acts which have been transmitted entitled as follows, viz:

No. 860 —An Act to make provision for the Service of non-bailable Processes, in certain cases.

No. 838.—An Act to provide for the care and maintenance of Idiots, Lunatics, and Persons of unsound mind.

And whereas the said Acts have been referred to the Committee of the Lords of Her Majesty 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 Her Majesty, that the said Act should receive Her Majesty's special confirmation. Her Majesty was thereupon, this day, pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Acts, and the same hereby are specially confirmed, ratified, and finally enacted accordingly: Whereof the Governor, Lieutenant Governor, or Commander-in-Chief, for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed.)

WM. L. BATHURST.

No. 9.

[COPY.]

At the Court at Windsor, the 28th December, 1852.

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY,
HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord Chancellor,
Lord President,
Duke of Newcastle,
Lord Chamberlain,
Marquis of Lansdowne,
Earl of Aberdeen,
Lord John Russell,

Viscount Palmerston,
Mr. Herbert,
Sir James Graham, Bart.,
Mr. Chancellor of the Exchequer,
Sir Charles Wood,
Sir William Molesworth, Bart.,

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1852, pass an Act, which has been transmitted, entitled as follows, viz:

No. 869.—An Act for the encouragement of Education, and to raise funds for that purpose, by imposing an additional Assessment on Land in this Island, and on Real Estate in Charlottetown and Common, and Georgetown and Common.

And whereas the said Act has been referred to the Committee of the Lords of Her 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 Her Majesty, that the said Acts should receive Her Majesty's special confirmation; Her Majesty was thereupon, this day, pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Act, and the same is hereby specially confirmed, ratified, and finally enacted accordingly: Whereof the Governor, Lieutenant Governor, or Commander-in-Chief, for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed.)

C. GREVILLE.

No. 10.

[COPY.]

At the Court at Windsor, the 28th December, 1852.

P R E S E N T :

THE QUEEN'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord Chancellor,
 Lord President,
 Duke of Newcastle,
 Lord Chamberlain,
 Marquis of Landsdowne,
 Earl of Aberdeen,
 Lord John Russel,

Viscount Palmerston,
 Mr. Herbert,
 Sir James Graham, Bart.,
 Mr. Chancellor of the Exchequer,
 Sir Charles Wood, Bart.,
 Sir William Molesworth, Bart.,

WHEREAS the Lieutenant Governor of Her Majesty's Island Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1852, pass an Act, which have been transmitted entitled as follows, viz:

No. 870.—An Act relating to the Recovery of Small Debts, and to repeal certain Acts therein mentioned.

And -whereas the said Act has been referred to the Committee of the Lords of Her 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 Her Majesty, that the said Act should be left to its operation; Her Majesty was thereupon, this day, pleased, by and with the advice of Her Privy Council, to approve the said Report: Whereof the Governor, Lieutenant Governor or Commander-in-Chief, for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed.)

C. GREVILLE.

No. 11.

No. 1.

[COPY.]

SMITHSONIAN INSTITUTE, 21st April, 1852.

SIR;

Accompanying this letter, I have the honor of sending you a copy of the Programme of the organization of the Smithsonian Institution, founded by the liberal bequest of James Smithson, Esq., of England, for the increase and diffusion of knowledge among men.

From the Programme you will learn, that it is a part of the plan of organization to publish the results of original researches in the different branches of knowledge, and to distribute these among public Institutions which are permanently established, and of a particular character.

It has been concluded to send five sets of the Smithsonian Contributions to the British Provinces in North America; and, in behalf of the Regents of this Institution, I beg to request that you will designate the several Institutions to which the presentation of these volumes will effect the greatest amount of good, in the way of diffusing knowledge among men. As it is also a part of the plan of the Institution to form a Library, publications are requested in return. Documents printed by the Government, the transactions of Literary, Historical, and Scientific Societies, and other works which throw light on the past and present condition of the British Provinces in North America, will be thankfully received.

It is the intention of the Institution to publish at least one quarto volume annually, of original contributions to knowledge, besides several minor publications in octavo. Two quarto volumes have been published, and a third and fourth are now in progress, to be issued in the course of a month or two.

I have the honor, &c.,

JOSEPH HENRY, Secretary, S.S.

Right Honble. the Earl of Elgin and Kincardine.

No. 2.

[COPY.]

The following Rules have been adopted for the distribution of the quarto volumes of the Smithsonian Contributions:—

1. They are to be presented to all learned Societies which publish transactions, and give copies of them in exchange to the Institution.

E

2. Also to all Foreign Libraries of the first class, provided they give in exchange their Catalogues, or other Publications, or an equivalent from their duplicate volumes.

3. To all Colleges in actual operation in this country, provided they furnish a Return of Meteorological Observations, Catalogues of their Libraries, and of their Students, and all other Publications issued by their organization, and History.

4. To all States and Territories, provided there be given in return copies of all Documents published under their authority.

5. To all incorporated Public Libraries in this country, not included in either of the foregoing classes, now containing more than 7000 volumes; and to smaller Libraries, where a whole State or large District would be otherwise unsupplied.

[COPY.]

No. 3.

GOVERNMENT HOUSE, QUEBEC, 14th September, 1852.

SIR;

I have the honor to enclose the copy of a letter, which I have received from the Secretary of the Smithsonian Institute, apprizing me, that it is the intention of the authorities of the Institute to send five sets of the Smithsonian Contributions, and requesting me to designate the several Institutions to which the presentation of the volumes will effect the greatest amount of good, in diffusing knowledge among men.

You will oblige me by informing me whether there is any Institution in Prince Edward Island, which can be properly recommended with the above view.

I have the honor to be, Sir,

Your Excellency's obedient humble Servant,

ELGIN & KINCARDINE.

His Excellency the Lieut. Governor, Prince Edward Island.

[COPY.]

No. 4.

GOVERNMENT HOUSE, P. E. ISLAND, November 11, 1852.

MY LORD;

I have the honor to acknowledge the receipt of your Lordship's letter of the 14th September last, enclosing copy of a letter from the Secretary of the Smithsonian Institute.

The only Institution which I can recommend in the Colony, for the reception and safe keeping of the volumes by the Smithsonian Institute, is the Legislative Library, where they will be received with thanks, and properly taken care of.

I have the honor, &c., &c.,

A. BANNERMAN, Lt. Governor.

Right Honble. the Earl of Elgin and Kincardine.

No. 5.

[COPY.]

GOVERNMENT HOUSE, QUEBEC,
29th December, 1852.

SIR;

With reference to your Excellency's Despatch of the 11th November, I have the honor to inform you that I have received a communication from the Secretary of the Smithsonian Institution, stating that the Legislative Library of Prince Edward Island will be placed on the list for distribution of Smithsonian transactions.

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

(Signed)

ELGIN & KINCARDINE.

His Excellency Sir A. Bannerman.

No. 6.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,
26th January, 1853.

MY LORD;

I have the honor to acknowledge the receipt of your Lordship's Despatch of the 29th December, stating that the Legislative Library of Prince Edward Island will be placed on the list for distribution of the Smithsonian transactions. When the Legislature meets they will not fail to acknowledge this valuable acquisition to their Library—and I have the honor to remain faithfully,

Your Lordship's obedient servant,

A. BANNERMAN, Lieut. Governor.

Right Hon. the Earl of Elgin and Kincardine.

No. 12.

CHARLOTTETOWN, January, 1853.

SIR;

By direction of the Trustees of the Lunatic Asylum, &c. I send herewith the account of the Expenditure of that Institution, commencing March 1, 1852, and ending January 31, 1853. The Endowment by Law of £350, and the grant of the Legislature, £100, have to be accounted for. It is presumed the latter contemplates an outlay of £100 in twelve months. Not being made on the 3d April, 1853, the expenditure too being adapted for twelve months, by the Trustees, at the rate of £8 6s. 8d. per month, the whole is not yet expended.

It was necessary to construct an extra strong room for the security of a person handed over from the Jail.

In regard to the condition of the establishment, it must be observed that with the view of practically ascertaining whether the funds at the disposal of the Trustees may be so applied as to relieve a greater number of persons—they have for the present discontinued paying the Keeper of the Asylum at a fixed rate per head.

The Report of the Medical Attendant is sent herewith.

The Trustees lament that the absence of any suitable airing ground renders due exercise and treatment impossible.

Humanity seems to require some step being taken in this direction; but the Trustees have no funds—there is more than one patient who, through this want, has been bed-ridden.

The Trustees respectfully submit these subjects for consideration.

WILLIAM SWABEY, Honorary Secretary.

There is likewise a necessity for an outlay for Bedding, which is fast becoming unserviceable.

W. S.

The Hon. the President of the Legislative Council.

CHARLOTTETOWN, February 21, 1853.

GENTLEMEN;

According to our usual method, I have again the honor of submitting for your inspection the Medical details of the Lunatic Asylum, with the result of treatment during the last twelve months, which being reduced to the Tabular form, a very few lines of explanation will suffice.

On perusing the accompanying Statistics, it will be observed that the total number of Lunatics under treatment since last Report, (comprising six admissions) amount to fourteen. Of these, four have recovered, two having been discharged, and the other two yet remain on surveillance.

Of the remaining ten cases, five have not improved; indeed they may be pronounced incurable, since some of them are idiotic, and others imbecile from birth, and give no hopes of ultimate recovery. Of the other five, two are made useful in the House, one is helpless, another is riotous and noisy, (but may recover), and the last was injudiciously removed by friends after a trial of only one month.

No deaths have occurred among the Lunatics since last Report. But among the Paupers two cases have been cut off, one by consumption of the lungs, the other by disease of the Biliary system.

With respect to the Paupers, they amount to seven in number, and are, without exception, superannuated men, helpless and infirm, and totally incapable of contributing towards their own support, or the funds of the Institution—whose ages average from 55 to 85—and demand considerable attention to maintain them in cleanness and comfort.

Allow me now to solicit your attention to an important and much wanted improvement, viz: an enclosed and sheltered yard, for the exercise, labour and recreation of the Insane; as many of the cases at present kept constantly in their rooms would then have an opportunity of enjoying the beneficial effects of pure air and exercise, under the surveillance of the keeper, instead of being kept within doors, during the whole of the winter, amounting in fact to close or solitary confinement. This has long operated with baneful effect in retarding recovery, and in many instances rendering nugatory our best efforts in the moral treatment of the Insane—it is an appendage which ultimately will be required, and the sooner we participate in its benefits the better will be the results to all parties.

I have the honor to be, Gentlemen,

Your obedient servant,

JOHN MACKIESON,
Medical Superintendent,

To the Board of Trustees of the Lunatic Asylum.

Memorandum of Lunatics admitted to the House on account of the additional Grant from the House of Assembly last sitting.

Martin Doyle,	-	-	-	-	-	-	-	£0 17 6
Benjamin McPhail,	-	-	-	-	-	-	-	7 8 2
David Bride,	-	-	-	-	-	-	-	16 7 10
Margaret Ferguson,	-	-	-	-	-	-	-	14 14 0
Martin Doyle,	-	-	-	-	-	-	-	3 17 0
Clothing for the above,	-	-	-	-	-	-	-	4 16 6
Bedding for do.,	-	-	-	-	-	-	-	6 0 6
Strong Room in the Cellar for D. Bride,	-	-	-	-	-	-	-	4 5 0
								£58 6 6

The above is entered in the Report.

WILLIAM SWABEY, Honorary Secretary.

Annual Report of Paupers and Lunatics in the Asylum

No.	Names.	Age.	Diseases.	Remaining last Return.	Admitted.	Discharged.	Died.	Number of Weeks.	Rate per week.	Amount.
										£ s. d.
By Credit, 23rd February, 1862.										
1	Patrick O'Keefe,	85	Pauper.	1				48 1-7	8 s. 2	61 15 8
2	William Mahar,	70	do.					48 1-7	"	19 13 2
3	Jeremiah McCarthy,	73	do.				8th Nov.	36 1-7	"	14 15 2
4	Susan Parks,	51	Lunatic.					48 1-7	"	19 13 2
5	Ann Rowe,	51	do.	5				48 1-7	"	19 13 2
6	Michael Grady,	36	do.					48 1-7	"	19 13 2
7	Lawrence Dornan,	61	do.					48 1-7	"	19 13 2
8	Michael Malone,	80	Pauper.					48 1-7	"	19 13 2
8	Patrick Mullins,	76	do.				2nd Nov.	35 2-7	"	14 8 2
10	Alex. Finlayson,	63	Lunatic.	10				48 1-7	"	19 13 2
11	Michael Reardon,	25	do.					48 1-7	"	19 13 2
12	Marine Pino,	29	do.					48 1-7	"	19 13 2
13	Malcolm McKinnon,	83	Pauper.					48 1-7	"	19 13 2
14	Thomas Power,	67	do.	14				48 1-7	"	19 13 2
15	John McPhee,	33	Lunatic.		4th March.			47 5-7	"	19 9 8
16	Martin Doyle,	42	do.		4th April.	18th April.		2 1-7	"	0 12 6
17	Benjamin McPhail,	27	do.		16th April.	21st August.		18 1-7	"	7 8 2
18	Margarte Ferguson,	30	do.		25th May.			36	"	14 14 0
19	David Bride,	32	do.		26th April.			40 1-7	"	16 7 10
20	James Callaghan,	73	Pauper.		8th Nov.			12	"	4 18 0
21	William Brennan,	56	do.		16th Nov.			11	"	4 9 10
22	Martin Doyle,	43	Lunatic.		27th Nov.			9 3-7	"	3 17 0

398 19 0

CONTINGENCIES, &c., &c.

By Cash to Dr. Mackieson,	-	-	-	-	40 0 0
Clothing for the year,	-	-	-	-	17 13 6
Repairs to the House,	-	-	-	-	10 8 3
Bedding for the extra Lunatics,	-	-	-	-	6 0 6
Funeral Expenses,	-	-	-	-	2 9 3

£475 10 6

LUNATICS SUPPORTED BY THEIR FRIENDS.

										£ s. d.
1	Rev. A. G. McDonell,	37	Lunatic.	1				35 6-7	10s.	17 18 7
2	Martin Doyle,	42	do.	2				4 6-7	9s.	2 3 9
3	Patrick Duffy,	41	do.		16th Sept.	14th October.		4 1-7	"	1 17 3½

£21 19 7½

from 1st March, 1852, to 31st January, 1853.

Dates.	Monies Received.	Amount.	Remarks.
		£ s. d.	
6th April, 1852,	Treasury Warrant,	50 0 0	
6th May,	do.	50 0 0	
3rd June,	do.	100 0 0	
12th August,	do.	50 0 0	
7th October,	do.	50 0 0	
4th November,	do.	50 0 0	
6th January, 1853,	do.	50 0 0	
	Balance Cr.	75 10 6	
		<u>£475 10 6</u>	
			Cured and sent home; when he saw his place took a relapse, and was re-admitted.
By Cash from Mrs. McDonell,		£17 18 7	
Cash from Mrs. Doyle,		2 3 9	Transferred to the house, friends not able
Cash from Mr. Hartz,		1 17 3½	to support him.
		<u>£21 19 7½</u>	

ANNUAL

EXHIBITING IN A TABULAR FORM THE ADMISSIONS, DISCHARGES, FORMS OF DISEASE, ASYLUM NEAR LUNATICS.

Names.	Sex.		Place of Birth.	Age.	Occupation.	Civil condition.		How long Insane.	Probable Cause of Disease.	Favorite Pursuit or Hobby.
	Male.	Female.				Single.	Married.			
Mrs. Ann Rowe,		1	Barnstable.	47	Spinster.		1	25 years.	Epileptic fits.	Knitting & sewing.
Mrs. Mary S. Park,		1	P.E. Island.	48	Spinster.		1	15½ "	Hereditary.	Prince Edward's wife.
Michael Grady,	1		P.E. Island.	35	Baker.	1		14 "	Fever.	
Lawrence Denan,	1		Ireland.	54	Laborer.		1	6 "	Frights & hurts.	Dread of prison.
Alex. McDonell,	1		Charl'town.	39	R.C. Priest.	1		9 "		Literary studies.
Mavin Pineau,	1		P.E. Island.	30	Farmer.	1		14½ "	Hereditary.	
Alex. Finlayson,	1		Scotland.	61	Farmer.	1		31 "	Blow on head.	
Michael Reardon,	1		New'fd.	23		1		21 "	Terror.	Idiotic.
John McPhee,	1		P.E. Island.	34	Farmer.	1		3 "	Property disptd.	Laziness.
Benj. McPhail,	1		P.E. Island.	28	Farmer.	1		1½ "	Cold.	
David Bryde,	1		Ireland.	33	Shoemaker.	1		1 "	Intoxication.	Singing and talking.
Margt. Ferguson,		1	P.E. Island.	30	Spinster.	1		11 "	Disapp'ntd. love.	
Patrick Duffy,	1		P.E. Island.	50	Joiner.			3 months.	Hereditary.	
Martin Doyle,	1		Ireland.	34	Farmer.			7 "	Poverty.	
	11	3				9	5			

PAUPERS.

Names.	Sex.		Place of Birth.	Age.	Occupation.	Civil condition.		Disease.	Admitted.	Discharged.
	Male.	Female.				Single.	Married.			
Patrick O'Keefe,	1		Ireland.	55	Laborer.		1	Amaurosis.	June 26, 1848.	
Wm. Magher,	1		Ireland.	70	Sawyer.		1	Phthisis.	June 26, 1848.	
Jeremiah McCarty,	1		Ireland.	72	Tinsmith.	1		Cough.	Aug. 8, 1849.	Nov. 7, 1852.
Michael Malone,	1		Ireland.	78	Fisherman.		1	Neuralgia.	Oct. 23, 1848.	
Patrick Mullins,	1		Ireland.	76	Farmer.		1	Bronchitis.	Jan. 20, 1849.	Nov. 2, 1852.
Malcm. McKinnon,	1		Scotland.	62	Farmer.		1	Ch. Rheum.	June 3, 1851.	
James Power,	1		Ireland.	62	Laborer.		1	Helpless.	June 4, 1851.	
James Callaghan,	1		Ireland.	72	Farmer.		1	Hernice.	Nov. 8, 1852.	
Wm. Brennan.	1		England.	55	Farmer.		1		Nov. 16, 1852.	
	9					3	4			2

REPORT.

AND REMEDIAL RESULTS OF THE CASES OF INSANITY UNDER TREATMENT IN THE CHARLOTTETOWN.

Form of Mental Disease.	Subject to what other Diseases.	When Admitted.	When Discharged	Died.	Not improved.	Improved.	Much improved.	Recovered.	Remaining.
Monomania.		July 17, 1848.					1		1
Periodical Insanity.		August 13, 1848.			1				1
Melancholia.	Dyspepsia, &c.	August 16, 1848.						1	1
Moral Insanity.	Bronchitis, &c.	December 8, 1848.	Nov. 6, 1852.					1	
Mania.	Readmitted.	December 2, 1852.		1					1
Amentia.		March 27, 1849.		1					1
Dementia.	Epilepsy.	May 10, 1850.		1					1
Mania.		March 5, 1852.		1					1
Mania.		April 16, 1852.	August 21, 1852.					1	
Mania.		April 26, 1852.					1		1
Imbecility.	Debility.	May 26, 1852.			1				1
Melancholia.		Sept. 16, 1852.	Oct. 14, 1852.	1					1
Melancholia.		Nov. 27, 1852.						1	1
				0	6	1	3	4	11

Died.	Remaining.	Remarks.
	1	Superannuated—helpless, and confined to bed.
1	1	A confirmed case of Blindness, of ten years' standing.
	1	Died from consumption of the Lungs.
1	1	Subject to cough and renal irritation.
	1	Died from dysentery, and hepatic congestion.
	1	Superannuated and lame.
	1	Lame from chronic rheumatism.
	1	Superannuated—Vision impaired.
	1	Helpless from scrotal Hernia and chronic rheumatism.
2	7	

CHARLOTTETOWN, February 21st, 1853.

J. MACKIESON.

No. 13.

No. 44.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,
October 13, 1851.

MY LORD;

I send you herewith the Charlottetown Royal Gazette, with the Proclamation I considered it necessary to issue in consequence of the disastrous Shipwrecks which occurred on the North side of the Island during a terrific gale on the 3d and 4th inst. A fleet of United States Fishermen have been the principal sufferers—between fifty and sixty fine Schooners were driven on shore, and stranded, from their light draught of water: many of the crews were saved, and I think the loss of life is much exaggerated, although I am sorry to say it has been considerable.

2. On the subject of these Fishermen it was my intention to have written to Your Lordship some time ago, but I waited until I made personal observations of their visits close to our shores, and went on board several, with whose masters I held conversation.

3. The Commander of H. M. S. Sappho was instructed by the Admiral to communicate with me on this subject; it is one which is becoming of great importance, and I trust that some amicable arrangement may be entered into with the British Government, and that of the United States. I shall soon communicate to your Lordship the views which I entertain; and in the meantime,

I have, &c.

(Signed)

A. BANNERMAN, Lieut. Governor.

The Right Hon. Earl Grey, &c. &c.

No. 50.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,
November 15th, 1851.

MY LORD;

Before the Legislature of the Colony shall again assemble, (early next February), I am desirous to call your Lordship's attention to a Document which was forwarded to the Colonial Office two years ago, Despatch No. 27, 12th June, 1849, an Address to Her Majesty, praying for a relaxation or suspension of the Convention of 1818 between Great Britain and the United States, for regulating the Fisheries on the Coasts of North America. In the Despatch, 26th November, 1846, No 91, your Lordship states: That the Address has been laid before the Queen, that Her Majesty was pleased to receive it very graciously, and that the very important subject to which it relates will receive the best consideration of Her Majesty's Government. No further correspondence since that time seems to have taken place with my predecessor on this subject.

2. It appears, however, by the printed copies of the Documents which I enclose, marked No. 1, that the Government of Nova Scotia have been negotiating with the British Minister at Washington on the question of Reciprocity with the United States, and the Fisheries, vide page 10; and, as your Lordship will perceive, page 15, Sir John Harvey's Government were then fully aware of the views entertained by the Legislature of this Colony, which were liberal and comprehensive—the United States Government being also well informed on the same subject, as appears by a Report of Mr. Corwin, Secretary to the Treasury, presented to the Senate, and printed at Washington, 1851, on the Trade and Commerce of the British North American Colonies.

3. In so far as this Colony is concerned, the question of the Fisheries has now become one which, if left much longer in its present unsettled state, may be attended with some serious consequences, when they are least expected—several of the Masters of the few Vessels belonging to British subjects from the neighboring Provinces, who were fishing this season, having already complained to me of the Americans setting the Treaty at defiance, and obstructing them on the best fishing grounds, some of them stating they are overwhelmed by numbers, or else “they would take the law into their own hands,” and claiming protection from me; while to the inhabitants of the Colony generally, the United States Fishermen are welcome visitors, frequently purchasing their Agricultural produce, and they would be glad to see the United States subjects fishing along our Coasts, and curing them on shore, believing that Agricultural produce would thereby be enhanced in value, capital introduced by the Americans, fishing stations erected, suitable schooners built on the Island, and its Commerce extended.

4. For although the sea around this Island teems with Fish, that branch of Industry has never been prosecuted to any extent, the colonists having principally confined themselves to Shipbuilding. The ships are large, and are often unsaleable; indeed the Trade has become a ruinous one, and must be abandoned.

5. It must be a long time ere the Colonists can find a proper class of men numerous enough to prosecute the Fisheries on the same system of sharing as the Americans carry on with great success. Last Session, the Assembly voted a small sum for premiums, to encourage the Fisheries; five or six schooners were fitted out for that purpose; they were tolerably successful, and I hope they will increase. But even should they do so to a much greater extent than I anticipate, it would not alter my opinion as to the desirableness of endeavouring, if possible, to make some amicable arrangement with the United States Government in regard to the Convention of 1818, either by its suspension on certain conditions, or its relaxation, on similar ones, for a limited time, to be annulled at the option of the British or United States Government, on due notice having been given by either. Prince Edward Island is, and will still continue to be, the head quarters of the American fishermen, and nothing will conduce more to its future prosperity than a settlement of this question.

6. To the United States Government, the Fisheries are of vast importance; and they will become more so in this part of North America, when the New Brunswick Railway runs, as is proposed, to Shediac, within a few hours sail of the Harbor of Bedeque, in this Island, from which the produce of the Fisheries would be sent to Boston in a very short space of time, leaving the fishing vessels to prosecute their occupation, instead of carrying home their cargoes, as they frequently do, and return to the fishing grounds in the same Season, performing a voyage 1200 to 1500 miles.

7. Your Lordship will have some idea of the magnitude of the American fleet of fishermen, when I inform you, that about the latter end of September, 250 United States schooners came into Malpeque on the North side of this Colony. They are beautifully equipped, averaging from 60 to 110 tons, and their crews consist of from 10 to 12 men each. About 1500 of them landed at Princetown and attended an Agricultural Show there. They behaved as well and peaceably as so many Sailors congregated together could be expected to do. But this will not always be the case where brandy and rum are to be had so cheap. They are under no control, and as they daily infringe the Treaty by fishing close to the shore, the United States Government cannot be expected to send one of their cruizers to enforce it, and otherwise to keep the peace among them. Should any disturbance hereafter take place, which, from many accidental causes, is not probable, the Government of this Colony would be placed in a delicate position with the subjects of a Foreign yet friendly State.

8. Early in the summer, and afterwards in the Autumn, Her Majesty's Ship "Sappho" was here. Commander Cochrane was desired to communicate with me, and authorised to show me his instructions. Their object was the protection of the Fisheries; the duty is a delicate and difficult one. His cruize embraced the Gut of Canso, Labrador, Newfoundland, Gaspe, and to the Westward. The Sloop-of-War, I imagine, traversed not less than 6000 or 7000 miles, and the idea, therefore, of protecting the Fisheries in this vicinity was quite absurd; and further, it is impossible to protect them without a Steamer being stationed here for five months, the expense of which, I may safely assure your Lordship, this Colony would object to pay. Some of the neighboring Provinces, I understand, fit out protecting vessels at their own expense; they justly attach great importance to the Fisheries, from the capital embarked in the trade, and the number of men employed in it. But Prince Edward Island is very differently situated, having neither capital nor labor at stake, both of which would be secured to them by an abrogation of the Treaty of 1818. Should Her Majesty's Government, however, consider that the protection of the Fisheries around this Island might induce the United States Government to come to an amicable arrangement, the experiment would be well worth trying by the employment of War Steamers. The United States fishermen who, at present undisturbed, profitably carry on their trade, are a numerous body, and might prove too strong for their Ship-building countrymen and other interests, which otherwise would be readily granted.

9. As the Legislature of this Colony will, when it assembles, again address Her Majesty, and as I am sure this Government will readily attend to any suggestion I may be able to offer them, I shall be very happy to be favoured with your Lordships views. After due consideration, I am of opinion, that while the Assembly and Council pray for a suspension or relaxation of the Convention, they ought also to stipulate for the same privileges being granted to them which the British Navigation Act accords to the subjects of the United States, in regard to the registration of ships built there and purchased by British subjects; and also for the admission of our produce on the same terms as that of American subjects; and if these concessions cannot be granted, to pray that Her Majesty's Government may strictly enforce the Convention of 1818, that Her Majesty's Government in Prince Edward Island may direct their energies to induce English capitalists to establish Fishing Stations along its shores, which are so admirably adapted for that branch of Commerce and Industry.

10. The enclosed letter from the United States' Consul, at Pictou, I send for your Lordship's perusal. That gentleman does not seem to be aware of the construction which is now put by the British Government on the Convention of 1818, viz: that the three miles distance from the shore is to be computed from the Head Lands, and not the Bays; and if his unfortunate countrymen had been three miles seaward of the two extreme points of the Coast, to which he refers, they could have easily rounded the Island and run to the lee side of it in safety. The crews that were saved, upwards of three hundred have been sent home at the expense of the United States' Government; and your Lordship will see by the annexed extract from a Massachusetts's paper, that they were sensible of the hospitality that they met with from the Islanders.

11. In conclusion, I hope that the importance of the question to which I have requested your Lordship's attention, will plead my excuse for the length of this Despatch. I shall be glad to hear from your Lordship on the subject to which it relates.

Right Hon. Earl Grey, &c. &c.

A. BANNERMAN, Lieut. Governor.

No. 3.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,
November 22, 1851.

MY LORD;

In reference to the accompanying Despatch No. 50, it is necessary that I should acquaint your Lordship that a Steamer of any draught of water can receive fuel alongside the Wharf at Charlottetown, and also to the Eastward at Georgetown. On making the necessary inquiries, I find that the Coal could be contracted for at £1 sterling per ton, and delivered at that rate either from the Pictou or Cape Breton Mines: and even Coal from Wales (Swansea) may be had at a little higher rate, as ships coming here frequently ballast with Coal from Wales. If it shall so happen that the Treaty of 1818 shall be enforced around this Island, and the Fisheries protected, a Steamer arriving here by the first of June would be in perfect time, and leaving by the first of October, just about the time that the squadron at Halifax leaves that Port for Bermuda and the West Indies. A Steamer crosses twice a week with the Mails to Pictou during Summer and Autumn; and from Pictou to Halifax there is a Telegraph, so that the Admiral could at any time communicate with a ship of war stationed here. Captain Bayfield, a most intelligent officer, who has been employed for many years in the Survey of the Gulf of St. Lawrence, is stationed here, and commands the Gulnare, surveying hired Brig. His Charts of this Island, and every where on the Coasts of North America, where he has been employed, are most perfect. Should any information be required on the important subject to which I have referred, the Admiralty would doubtless refer to that Officer.

I have, &c.

(Signed)

A. BANNERMAN, Lieut. Governor.

The Right Hon. Earl Grey, &c. &c.

No. 4.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,
February 12, 1852.

MY LORD,

I have the honor to forward herewith a joint Address unanimously agreed to by the Legislative Council and House of Assembly, to Her Majesty the Queen, on the subject of the Treaty for regulating the Fisheries, which I have to request your Lordship to lay at the foot of the Throne, and beg to refer your Lordship to my Despatch, No. 50, of date November 15th, on this important question.

I have the honor, &c.

(Signed)

A. BANNERMAN, Lieut. Governor,

The Right Hon. Earl Grey, &c. &c.

No. 5.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,
February 12th, 1852.

MY LORD,

In reference to the accompanying Despatch, No. 9, I beg leave to direct your Lordship's attention to a Colonial Act, 6 Vic. cap. 14, page 698, of the volume of Statutes which I recently forwarded to your Lordship. The Act to which I refer is one which received the Royal Assent on the 3d September, 1844;

H

and an order was on the same day made by Her Majesty in Council declaring " that its clauses and provisions should be the rules, regulations and restrictions respecting the Fisheries on the Coasts, Bays, Creeks or Harbours of the Island of Prince Edward.

2. By the provisions of this Act, Officers of Customs and Excise, Sheriffs, Magistrates, and any person holding a Commission from the Lieutenant Governor, are authorized to board, search, &c. vessels within three marine miles of the coast, and if found fishing, preparing to fish, or to have been fishing, within that distance, such Vessel, with their Cargoes, to be seized and forfeited, &c. &c.

3. The provisions of this Act have never yet been enforced, but should the Fishery question remain much longer unsettled, in all probability attempts will be made to seize American Fishing Vessels, and such attempts may be resisted, which may lead to collisions the consequences of which are not easily to be foreseen.

4. To guard against any such occurrence I think it would be very desirable for Her Majesty's Government to order Steamers to be stationed here from the 10th June to the 1st October, the Commanders of which, in addition to their instructions from the Admiralty, would be fortified with a Commission from the Lieutenant Governor of this Island, enabling them in the terms of the Act, and Order in Council, to legally enforce their provisions—within the limits prescribed by the Acts—for I consider that the powers which the Statutes vest in Custom House Officers, &c. &c.—in so far as the Fisheries are concerned—to be very dangerous ones, and such as ought only to be entrusted to those who have the means, as well as the authority, to enforce them.

5. I understand there is nothing more likely to urge the American Government to an amicable settlement of this long vexed question, than an enforcement of the Treaty around this Island, where their Fishermen catch most of the Mackerel sent to the United States.

6. Notifications of the Royal Assent to the Act alluded to, and Order in Council, were published in the Royal Gazette of this Island, on the 8th October, 1844, but I am ignorant whether the United States' Government are aware of its provisions; and it will be for your Lordship to determine if any information should be made to that Government on this important subject.

7. I trust from what I have already stated, that Her Majesty's Government will perceive the peculiar position in which this Colony is placed, in regard to the Fisheries; so very different from the adjoining Provinces. I apprehend that the Lieutenant Governor, irrespective of any other interest, is entitled to carry that Law into effect, applicable to this Island, which has received the sanction of the Sovereign; and the Legislature, may modify, relax or abrogate such Law, on conditions subject to the approval of Her Majesty's Government. The importance of the subject will, I trust, be my excuse for troubling your Lordship at such length, while

I have the honor, &c.

(Signed)

A. BANNERMAN, Lieut. Governor.

Right Hon. Earl Grey, &c. &c.

No. 6.

[COPY.]

Extract of a Despatch from Sir Alexander Bannerman, to Earl Grey, dated February, 1852.]

“ In regard to Bounties, the United States’ Government pay large ones; and as I stated to the Assembly, we have no business to complain of whatever policy that Government may consider most conducive to the interests of their subjects. But I am of the same opinion with your Lordship—averse to imposing a tax on the whole community to benefit one particular class—for a trade requiring a Bounty, (I mean a continued one), will turn out to be a fictitious one. Our neighbours and the French Government will find out this in due time: but that is no business of ours. The Act of the Assembly of this Island, passed in 1851, only lasts for three years. I understood it to be merely an encouragement by the Legislature to give premiums, as they very properly do for improvements in Agriculture, to another important branch of Industry and Commerce, the Fisheries; but should the Colonists find out—which they are sure to do before the expiry of the Act—that its provisions will be a considerable draw on their limited finances, they will themselves remedy the evil. In my opinion, the best remedy that can be applied in the present state of Prince Edward Island. As to the Fisheries, about which I have troubled your Lordship so much, I have no hesitation in saying that were I the sole Proprietor of this Island, and looking to the question as one involving my own interest, and not as a National one, I would petition Her Majesty to abrogate the Convention of 1818, and graciously ask for permission to invite the American Fishermen to visit our shores, to carry on their trade, and make the best arrangement I could with them. But this cannot be done at present; and I would fain hope the question may be easily and amicably adjusted; and if that could be accomplished, nothing I think would tend more to cement amity and friendship with Great Britain and the United States.”

This Extract to Earl Grey was private, in answer to an unofficial one from His Lordship of a similar nature, on the subject of Bounties; of the policy adopted by the Imperial Parliament on that subject.

No. 7.

[COPY.]

DOWNING STREET, MAY 27, 1852.

SIR;

Among the many pressing subjects which have engaged the attention of Her Majesty’s Ministers since their assumption of office, few have been more important in their estimation than the question relating to the protection solicited for the Fisheries on the Coasts of British North America.

2. Her Majesty’s Government have taken into their serious consideration the representations upon this subject contained in your Despatches noted in the margin, and have not failed to observe that whilst active measures have been taken by certain Colonies for the purpose of encouraging their Fisheries, and of repelling the intrusion of Foreign Vessels, it has been a subject of complaint in New Brunswick that impediments should have been offered, by the policy of the Imperial Government, to the enactment of Bounties, considered by the Local Legislature essential for the protection of its trade. Her Majesty’s Ministers are desirous to remove all grounds of complaint on the part of the Colonies, in consequence of the encroachment of the Fishing Vessels of the United States upon those waters from which they are excluded by the terms of the Convention of 1818, and they therefore intend to dispatch, as soon as possible, a small Naval Force of Steamers, or other small vessels, to enforce the observance of that condition.

3. These Vessels will of course be confined to the performance of the duties with which they are specially charged, and the Commanders will be enjoined to exercise a careful discretion in the very delicate office of interfering with Vessels belonging to Foreign and friendly powers.

4. With regard to the question of promoting the Fisheries of the British Colonies, by the means of Bounties, Her Majesty's Government although desirous not to sanction any unnecessary deviation from that policy which regulates the Commerce of this Country, are still disinclined to prevent those Colonies, by the interposition of Imperial authority, and especially pending the negotiations with the United States of America, for the settlement of the principles on which the Commerce with the British North American Colonies is hereafter to be carried on, from adopting the policy which they may deem most conducive to their own welfare and prosperity. Entertaining these views, it is the intention of Her Majesty's Government to advise the Queen to give her assent to an Act passed by the Legislature of Prince Edward Island, in the Session of 1851, for the promotion of its Deep Sea Fisheries, and they will be prepared to give favourable consideration to any Acts for a similar purpose which may be passed by the Legislature of the North American Provinces.

I have the honor, &c.

(Signed)

JOHN S. PAKINGTON.

Lieut. Governor Sir Alexander Bannerman, &c. &c.

No. 8.

[copy.]

DOWNING STREET, 10th JUNE, 1853.

SIR;

I have the honor to acknowledge the receipt of your Despatches Nos. 9 and 10, of the 12th February last, the former enclosing an Address to the Queen from the Legislative Council and Assembly of Prince Edward Island, praying for some relaxation of the Treaty of 1818, for the regulation of the Fisheries.

2. I have laid this Address before the Queen, and Her Majesty was pleased to receive it very graciously.

3. On this subject it is only necessary to refer you to the Despatch which I addressed to you on the 27th ultimo.

I am, &c. &c.

(Signed)

JOHN S. PAKINGTON.

Lieut. Governor Sir A. Bannerman, &c. &c.

No. 9.

H. M. S. DEVASTATION,

HALIFAX, 10th November, 1853.

SIR;

I have the honor to state that having in pursuance of your orders arrived in the Gulf of St. Lawrence, for the protection of British Fisheries, on the 20th May, I visited the principal Fishing stations along the Coast, from time to time, and beg to forward a report of my observations while on that service.

Up to the middle of July there was no encroachment by the Americans on the fishing grounds, the cause is, that the inducement does not present itself till the commencement of the Mackerel fishing about that time, when they arrive in great numbers.

There is no part of the Gulf where fish of all kinds abound more than on the shores of Prince Edward Island; it is, however, extraordinary, but no less true, that during the summer months a vessel may, in fine weather, pass along the whole shore without seeing twenty Boats, until arriving off the North Point, where a considerable fishery has lately been established at Tignish, a well chosen station, for having Boats on each side of the Point, they can even in strong winds have shelter on either side, and have this year succeeded well.

It is to be hoped that this will be an encouragement for enterprize on other parts of the coasts, for it is indeed to be lamented that so much wealth should be lost to the Island. True it is, that from position and soil, Prince Edward Island has been termed the Garden of North America, and that the people are chiefly engaged in Agricultural pursuits; but having the one advantage, they seem to overlook the additional, and certainly the greater one, of a coast teeming with fish, an advantage which in less favored lands, is counterbalanced by a sterile and unfruitful soil.

If appreciated sufficiently to rouse exertion, the wealth of that Island, through its fisheries, might be great. This would immediately provide a circulation of money now so much required.

During July, when the Mackerel strike in, the Americans arrive in their very fine Schooners, in pursuit of them—the fish are only to be taken close along shore, so that if they do not encroach, they must be unsuccessful. In former years I am assured that these vessels have been in the habit of taking away two, and sometimes three cargoes, from the Gulf; and as from the 1st August to the 7th October, in fine weather, you cannot run the North Shore down without seeing One hundred United States' fishing vessels, sometimes one hundred and fifty, which carry on an average five hundred barrels, worth, say at least £2 sterling, a barrel. Supposing that only one hundred vessels fill up once, the smallest possible estimate of the value taken away annually from the coast of that Island alone is £100,000 sterling. The Mackerel, as the season advances, are both more numerous and finer quality; indeed, the Spring fish are very poor, and it would add greatly to the value of the Fisheries, if they were not taken early.

Nature has provided that at this their spawning season they do not readily take bait; but from seining, and other means adopted by the Americans, if it had not been checked, the fish would have been exterminated in a few years; while the protection of the coast this year will in all probability cause a greater increase in future seasons.

The water already abounds with small Mackerel, about three inches long, this I am told has not occurred before to any extent, and is imputed to the protection of the spawning fish during spring.

It seems to be already an established fact, that not only is the Mackerel valuable in itself, but where that fish is plentiful, the Cod is also.

(Signed)

COLIN Y. CAMPBELL.

Vice Admiral Sir George Seymour, K.C.B.,

Commander-in-Chief.

No. 10.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,
January 14, 1853.

SIR;

I have the honor to acknowledge the receipt of your Despatch of the 7th December, transmitting an extract of a Despatch from Vice Admiral Sir George Seymour, suggesting "certain steps be taken by the Governors of the North American Colonies for the better protection of the Fisheries during the next season," and you instruct me to take the necessary steps, in conjunction with the Executive Council, for carrying it into effect.

2. Sir George Seymour's suggestions are, that the names and numbers of the Fishing Vessels, of a certain tonnage, should be painted on their Hulls and Mainsails, &c.

In reference to this subject, I beg to observe that the Executive Council and Lieutenant Governor have no power, without an Act of the Legislature, for carrying such suggestions into effect. And adverting to your confidential Despatch, 30th October, referred to in mine of December 6th, I consider it much better, under present circumstances, to adhere to your former recommendation, viz: "that the Legislature should abstain from taking any active measures about Trade and the Fisheries, pending negotiations of such importance as are carrying on, because a premature discussion on regulations for the guidance of the Fishermen—many of which will hereafter be required—would end in no useful result.

3. In regard to the enforcement of customs, regulations and care being taken about granting of British Registers, I may state that the granting of Registers devolves on an officer of the Customs, paid by and under the control of that department in England, bound to act in accordance with the British Navigation Act; and if the Admiral on the station has found irregularities and negligence prevail on this head, I feel confident the Board of Customs will, on a proper representation, give such directions as will in future rectify the evil alluded to by Sir George Seymour.

I have, &c.

(Signed)

A. BANNERMAN, Lieut. Governor.

The Right Hon. Sir John Pakington, &c. &c.

No. 14.

No. 1.

[COPY.]

DOWNING STREET, JULY 2, 1852.

SIR;

I have to acknowledge the receipt of your Despatch, No. 19, of the 23d of April last, with the communication therein enclosed, which have passed between yourself and certain individuals in Charlottetown, who are desirous of enrolling themselves as volunteers.

Her Majesty's Government are of opinion that the desire evinced by the Individuals in question, to be trained to the use of Arms, is highly praiseworthy, and consequently deserving encouragement. I have accordingly instructed the Master General of the Ordnance to provide Rifles and Accoutrements for one Company of Volunteers. But it must be clearly understood that Her Majesty's Government do not feel themselves called upon for the present to make over these arms to the Colony, the arms are lent to the Colony, upon the understanding that a proper use will be made of them—that some person will be appoint-

ed to take care of them when they are not in the hands of the Volunteers, and that the Colony will be responsible to Her Majesty's Government for these arms.

I have felt the less hesitation in sending these arms to Prince Edward Island, as Her Majesty's Government are deeply impressed with the necessity of withdrawing all regular troops from the Colony at an early period. The numerous desertions which are constantly occurring from the troops stationed on the Island, not necessarily with the connivance of the inhabitants, constitute, as you are aware, a very heavy expense to this country; while the circumstance of the Troops being unavoidably detached from the Garrison of Halifax, is another source of additional outlay. The time has, therefore, arrived when the inhabitants of Prince Edward Island should themselves provide, I will not say for their protection, for their security is not exposed to any immediate danger, but for the common duties which the Troops have to perform, and which may very well be discharged by a few Constables. I do not propose, however, to give orders for withdrawing the Troops, until I shall have heard from you at what period it will be perfectly convenient that arrangements should be made for that purpose.

I have the honor, &c.

(Signed)

JOHN S. PAKINGTON.

Lieut. Governor Sir Alexander Bannerman, &c. &c.

No. 2.

[COPY.]

DOWNING STREET, 29th January, 1853.

SIR;

Referring to Sir John Pakington's Despatch of the 2nd July last, in which an intimation was conveyed to you of the necessity which has arisen for imposing upon the Colony under your Government the duty of making provision for the performance of the duties now discharged by the small detachment of regular Troops stationed there, I now feel it my duty to remind you that the answer which you have promised in that Despatch has not been received.

I am not without hopes that it may be found practicable to send a Company of enrolled Pensioners to Prince Edward Island; but my present impression is, that, under any circumstances, the Troops must be withdrawn at a very early period.

I am, Sir, your obedient Servant,

[Signed.]

NEWCASTLE.

Lieut. Governor Sir A. Bannerman, &c. &c.

No. 3.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,

April 9, 1852.

SIR;

In reference to Earl Grey's Despatch (Military No. 1), dated 19th February, on the subject of desertion from the Army in this Colony, I have the honor to acquaint you that as the Legislature was in session on the receipt of that Despatch, I sent a Message to the Assembly, of which I enclose a copy, No. 1, and also the Address in answer, with the Report of a Committee of the House on the same subject, No. 2.

2. I do not believe that the inhabitants of this Island harbour Deserters with the view of getting cheap labor, for it is absurd to suppose that the services of a few men could accomplish that object; and I think my predecessor labored under a wrong impression, when, on such grounds, he recommended Sir John Harvey to withdraw 20 men from this small Garrison, two years ago, which Sir John acceded to. It is the opinion of Major Lane, long resident here, Town Major and Inspector of Militia, that the Garrison is too weak, and that fewer Desertions would take place if there were a sufficient number of men to attend to the detachment previous to their annual embarkation from this Colony, a time when desertion usually takes place.

3. While on a visit to the North side of the Island, last Autumn, a young man taken on suspicion was brought before me. He acknowledged being a Deserter, and was sent to the Barracks at Charlottetown. His clothes and shoes were worn out, and he seemed well pleased to deliver himself up. He informed me that his companions (Deserters) had escaped to the United States, most of them having formed matrimonial alliance, their wives very easily following them in any of the hundreds of United States fishing vessels which annually frequent the shores and Harbors of Prince Edward Island, to which I have recently called the attention of Her Majesty's Government.

4. The Lieutenant Governor may, when he considers it expedient, call out the Militia.

5. The number which are liable to be enrolled amounts to above 8000, and two hundred old unserviceable flint muskets are all the arms at my disposal in this Colony.

6. I shall regret extremely if the Troops are withdrawn from the Island; indeed I consider it would be, for several reasons, very inexpedient at present to do so.

I have the honor, &c.

(Signed)

A. BANNERMAN, Lieut. Governor.

Sir John Pakington, Bart.

No. 4.

[copy.]

To His Excellency Sir Alexander Bannerman, Knight, Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, &c., &c., &c.

May it please your Excellency;

We the undersigned, Inhabitants of Charlottetown, regarding with intense interest the present startling aspect of European affairs, calculated, as your Petitioners suspect, seriously to affect the best interests of Prince Edward Island as a British Colony, approach your Excellency, as the Representative of Her Most Gracious Majesty, to pledge our loyalty and attachment to Her Person and Throne; and as an earnest of our loyal intentions, we have determined, should such a step meet with your Excellency's approval, to enroll ourselves as a Volunteer Dress Company, in order that we may become more effective and efficient in the discharge of those duties which, as a Militia, we ought to be acquainted with, for the preservation of British Sovereignty in this Colony, as well as for the personal safety of ourselves and fellow-colonists.

With this object, we have selected the following persons as Commissioned Officers for the Company, and beg your Excellency's confirmation of the appointments:

Robert Hutchinson, Esqr., to be Captain.

Mr. Neil Rankin, and Mr. James Rice, Lieutenants, and

Mr. Charles Bell, Ensign.

Your Excellency would further confer a favor by establishing the Company under the name of the "Charlottetown Rifle Company."

Signed by 52 Inhabitants of Charlottetown.

No. 5.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,

April 7, 1852.

SIR;

I yesterday received from Major Lane a communication signed by you and fifty-two other Inhabitants of Charlottetown, who say "they look with intense interest to the present startling aspect of affairs in Europe," and pledge their loyalty and attachment to Her Majesty's Person and Throne.

Such expressions of loyalty are always gratifying to the Queen's Representative. I have before acknowledged them in almost every part of this Island, and I again thank you for yours.

You state that as an earnest of those loyal intentions you have determined, with my approbation, "to enroll yourselves as a Volunteer Dress Company, in order that you may become more effective and efficient in those duties which, as a Militia, you ought to be acquainted with, for the preservation of British Sovereignty in this Colony, as well as for personal safety to yourselves and fellow-colonists."

You further state, that you have selected and named several gentlemen as your Officers, wishing for my confirmation of their appointments; and you request that the Company in which you wish to be enrolled should be named the Charlottetown Rifle Company.

While thanking you for your patriotic offer of your services, I cannot accept them; I have at present no authority to do so. As liable to serve in the Militia, I may inform you that, by Statute, the Lieutenant Governor is authorized, when he deems it expedient, to order and direct the Officer in command of any Regiment of Militia within this Island, to receive Volunteers from the several Companies in his Regiment to the number of fifty, at least, for the purpose of training; and such commanding Officer shall then enroll such Volunteers, and appoint the Officers to each Volunteer Company, and require them to assemble for muster and training, not exceeding twenty days in any one year.

The day is far distant, I hope, when the Sovereignty of this, or any other British Colony, will be in danger; but should that day ever arrive, I feel confident that not only fifty, but thousands of the loyal Inhabitants of this Island will volunteer to defend the rights of their Sovereign, and the integrity of the empire.

(Signed)

Robert Hutchinson, Esqr., &c., &c.

J

I have, &c.

A. BANNERMAN, Lieut. Governor.

No. 19.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,
April 23, 1852.

SIR;

I have the honor to transmit copy of a communication addressed to me by certain individuals in Charlotetown, marked No. 1. They wish to be enrolled as a Company of Volunteer Riflemen—of course expecting arms and accoutrements from the Imperial Government. Having no arms at my disposal, excepting those alluded to, in a recent Despatch; and as the Colonial Statute in regard to the enrollment of Volunteers seems very clear, I have sent the persons alluded to the answer marked No. 2, which I hope will be approved of by you; and if so, that you will take the trouble to inform me, in order that I may communicate the same to the parties who have offered their services.

I have the honor, &c.

(Signed)

A. BANNERMAN, Lieut. Governor.

Right Hon. Sir John Pakington, &c. &c.

No. :

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,
February 23d, 1853.

MY LORD DUKE,

I have the honor to acknowledge the receipt of your Grace's Despatch, Military, No. 1, of date 29th January, referring me to that of Sir John Pakington, of date 2d July last, on the same subject. I beg to state that I could not fulfil my promise in regard to the latter, until the meeting of the Legislature—they are now assembled, and their attention has been directed to both Despatches. By the next Mail, (the present one being on the eve of departure), I shall not fail to address Your Grace on the subject of withdrawing the Troops from the Colony; and I may here remark, that the small detachment quartered here cannot be removed from the Island earlier than about the end of May, so that no inconvenience will arise from the necessary delay which has arisen, should Her Majesty's Government determine on withdrawing them, after hearing from your Grace's obedient,

Humble Servant,

A. BANNERMAN, Lieut. Governor.

His Grace the Duke of Newcastle.

No. 15.

[COPY.]

At the Court at Windsor, the 7th day of February, 1853.

PRESENT:

(L.S.)

THE QUEEN'S MOST EXCELLENT MAJESTY,
HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord President,
Lord Privy Seal,
Lord Stewart,
Duke of Newcastle,
Duke of Wellington,

Earl of Aberdeen,
Lord John Russell,
Viscount Palmerston,
Mr. Herbert.

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1852, pass an Act which has been transmitted, entitled as follows:

No. 851.—An Act relating to Light and Anchorage Duties.

And whereas the said Act has been referred to the Committee of the Lords of Her 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 Her Majesty, that the said Act should be left to its operation; Her Majesty was thereupon, this day, pleased, by and with the advice of Her Privy Council, to approve the said Report: Whereof the Governor, Lieutenant Governor or Commander-in-Chief, for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed.)

WM. L. BATHURST.

No. 16.

Half Yearly Report of the School Visitor for King's County, September, 1852.

GENTLEMEN OF THE BOARD OF EDUCATION ;

I now endeavour, as succinctly as possible to represent for your information, what has been done during the past six months relative to Education in King's County.

The recent inspection of the District Schools has not empowered me to felicitate you on any marked rate of progress, unusual proficiency in the branches imparted, more numerous or regular attendance, or the manifestation of increasing solicitude to the importance and responsibility of elevating the character of the young, by a reasonable and practical Education.

The most conspicuous obstacles to satisfactory and permanent improvement are, the great irregularity discernable in the attendance, and the fluctuating character of the Schools. The majority of these are opening and closing at all seasons, and seldom without the intervention of protracted and injurious vacations. By the former, all attempts at organizing and sustaining classes are rendered almost impracticable, and very little advantage derived by the children from such limited attendance.

Thus the various agencies and appliances which have been devised and brought to bear on the Schools, have been so thwarted and neutralized, as to have been productive of comparatively little good, and it is my decided conviction, that nothing short of compulsory measures will ever overcome the unpardonable apathy and indifference exhibited by parents on this subject, or effect the establishment of permanent tuition, which is so indispensable to an efficient school system, and the successful prosecution and attainment of instruction.

As your honorable Board is amply cognizant of the foregoing prominent evils, from former communications, it is unnecessary to expatiate more circumstantially or at greater length on this point.

Changes have taken place since I reported in February, that have had the effect of closing the Schools in the following Districts, viz. : Saint Margaret's, Rock Barra, Morell (Farms), Cow River, Little Harbour, Little Sands, Brudenell River, Montague River, Pisquid Road, St. Peter's Bay, (South-side), and Marie. The first enumerated seven are still in operation. The last four have been re-opened after brief intermissions.

Of Schools vacant at that period, and in Districts where they were particularly needed, the following have been got in operation, viz. : Cross Roads (Lot 59), Launching, Portage (East Point), North Lake, Saint Peter's Bay (North-side), and Montague Bridge.

Four new Schools have also been established at the subsequent stations, within the past half year, Rollo Bay, Souris Line Road, Back Settlement, Morell, and one at Georgetown.

The following abstract shows the Schools in operation at the present date.

No.	TEACHERS.	STATIONS.	No. OF PUPILS
1.	John Ross,	Georgetown,	40
2.	James Currie,	Cross Roads, Lot 59,	34
3.	John Stewart,	Montague River,	30
4.	Donald Campbell,	Head of Montague,	43

No.	TEACHERS.	STATIONS.	No. of PUPILS.
5.	Donald Bethune,	Brown's Creek,	40
6.	Angus M'Eachern,	Sturgeon,	54
7.	Peter Ross,	Murray Harbour (North-side),	58
8.	William Emery,	Murray Harbour (South-side),	72
9.	John Brooks,	White Sands,	70
10.	John Stewart,	Town Road (Lot 51),	30
11.	Kenneth MacKenzie,	Eighteen-mile Brook,	23
12.	John MacNeill,	New Perth,	48
13.	Donald Robertson,	Launching,	35
14.	Ronald MacCormack,	Grand River,	40
15.	Richard Barry,	Bay Fortune,	38
16.	John Kenan,	Rollo Bay,	42
17.	Patrick Sweeney,	Souris,	42
18.	Michael Dinn,	Souris Line Road,	30
19.	John MacNeill,	Portage East Point,	42
20.	John MacDiarmid,	North Lake,	39
21.	S. Farquaharson,	Saint Peter's Bay, (North-side),	30
22.	John Parker,	Saint Peter's Bay, South-side),	33
23.	Thomas Walsh,	Marie,	36
24.	Simon Gill,	Back Settlement, Morell,	19
25.	James Ross,	Savage Harbour,	47
26.	Angus Macdonald,	Head Hillsborough,	42
27.	Miss C. Alley,	Head Cardigan,	45
28.	Miss C. Ross,	Pisquid Road,	22
29.	Miss P. Logan,	West Souris,	28
30.	Miss C. Ross,	Saint Peter's Settlement,	36
31.	Miss J. MacKeown,	Georgetown,	28
32.	Miss M. Owen,	Bay Fortune,	36
33.	Miss — MacGregor,	Montague Bridge,	28

Total 1310

Course and Method of Tuition.

ORTHOGRAPHY :—In its inculcation, the Teachers generally aim at introducing their pupils, by easy and regular gradations, to the pronunciation of the English language. After acquiring the Alphabet, short and easy lessons, on the long and short sounds of the vowels, and the primitive sounds of the consonants are imparted. Progressive lessons on the pronunciation of the double consonants and diphthong, the broad and middle sounds of the vowels and consonants having two sounds succeed, and the children thus familiarized with the elementary principles of English Orthography, preparatory to their entering on simple reading lessons.

An imperfect acquaintance with the initiatory and important department of instruction, is still too common, and its hurtful tendency is abundantly obvious, from examinations in other and advanced branches

Many Teachers, through mistaken views, hurry their pupils through the varieties and anomalies of this incipient stage; and the result is, that their subsequent progress is eventually retarded instead of accelerated by it.

READING :—The most correct and tasteful utterance obtained in those Schools where the Teachers had stringently enforced the mastery of the preliminary difficulties of the Spelling Books. The most appropriate and intelligent reading, and the most successful method of expounding the contents to the children's apprehension, were exhibited in the Schools numbered, 2, 3, 7, 8, 9, 12, 13, 21, 22, 27, 29, and 32.

WRITING :—About two thirds of the Schools are furnished with suitable desks, and in these with few exceptions, the advancement in the acquisition of this art was satisfactory. The absence of the proper conveniences in the remainder, very much impedes improvement. The best rate of progress, and the finest specimens of penmanship were displayed in Schools, Nos. 6, 7, 8, 12, 21 and 22.

ARITHMETIC :—Comparatively speaking, the attainments and rate of improvement in this branch, exceed those in any other. Several of the Teachers display much dexterity in conveying a knowledge of Arithmetic, both theoretically and practically. In a few Schools, the outlines of mental Arithmetic are taught, and considerable skill and celerity were evinced by the classes acquiring this kind of calculation.

The greatest proficiency during the bye-gone half year, and the most approved system of calculation, were apparent in the Schools numbered, 4, 7, 8, 12, 20, 21, 22 and 29.

GRAMMAR AND GEOGRAPHY :—Are taught in nineteen Schools, viz. :—Nos. 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13, 19, 21, 22, 26, 27, 29, 30, 31 and 32. Lennie's Manuel is the text-book from which instruction in the former branch is universally imparted.

The most full and judicious parsing, greatest tact in correcting sentences involving grammatical inaccuracies, and readiness in adducing the appropriate Rules and Definitions, prevailed in Schools, Nos. 2, 8, 12, 13, 21, 27 and 29.

Geography is chiefly taught from Chamber's Primer. The generality of Schools are without Maps or Atlases. In those furnished with them, the advanced classes have gained a creditable knowledge of this useful and interesting branch of Education.

CONCLUDING REMARKS.

All the Teachers are regularly supplied with Journals, which are properly kept, and the Rules and Regulations of the Board conformed to as far as I have ascertained.

In their official duties, the Teachers appear to be diligent and punctual; and display a willingness to receive and impart information connected with the profession. The suggestions, periodically commended, regarding improvements and alterations in the administration of their respective Schools, have been properly considered and adopted. The most frequent and urgent complaints are, the irregular attendance, insufficiency of Books and Stationery, and the absence of consideration and co-operation on the part of the people, and especially of systematic Trustee management; without which Schools cannot be efficiently conducted or upheld, as they must invariably experience gradual deterioration, if not complete disorganization.

I have the honour to be,
Gentlemen,

Your obedient servant,

JOHN ROSS.

Georgetown, September, 1852.

Half Yearly Report of the School Visitor for King's County, February, 1853.

GENTLEMEN OF THE BOARD OF EDUCATION ;

Pursuant to customary, and as far as practicable conformity to the requirements of the " Act for the encouragement of Education," the semi-annual inspection and examination of the District Schools in this County took place, and the statistical and other information resulting therefrom, are now respectfully submitted for your perusal in the subsequent epitomized detail.

In compliance with the sixth Resolution of the Board, the respective classes in each School were examined in the daily rotation in which they have been receiving instruction, and their relative progress ascertained and noted.

Making due allowance for irregularity of attendance and other concomitant disadvantages, I consider the ratio of improvement and aggregate amount of knowledge in which they are proficient, as justifying me in announcing, that they will bear comparison with those of any preceding corresponding period, and to be as satisfactory as can reasonably be looked for.

The Schools in operation at the present date, under whose supervision, the number of pupils attending each, the average attendance, and the number acquiring the separate branches communicated, are discriminated in the subjoined tabular synopsis.

No.	DISTRICT.	TEACHERS.	Pupils.	Av. Att.	Reading.	Writing.	Arith.	E.Gram.	Geo.
1.	Georgetown,	J. Ross,	50	25	44	30	30	15	12
2.	Cross Roads, Lot 59,	J. Currie,	40	28	34	20	15	8	6
3.	Montague River,	R. Wilson,	28	25	24	14	14	6	3
4.	Head of Montague,	D. Campbell,	43	30	35	20	10	8	8
5.	Brown's Creek,	D. Bethune,	40	25	30	15	12	0	0
6.	Sturgeon,	A. M'Eachren,	44	30	30	20	12	3	0
7.	Murray Harbour, North-side,	P. Ross,	55	40	40	40	20	6	3
8.	Murray Harbour, South-side,	W. Emery,	70	50	60	40	40	10	6
9.	White Sands,	J. Brooks,	60	40	40	35	33	2	0
10.	Little Sands,	A. Blue,	32	22	24	15	12	3	0
11.	Town Road, Lot 51,	J. Stewart,	30	25	20	12	10	2	0
12.	Eighteen-mile Brook,	K. M'Kenzie,	25	20	20	18	18	5	5
13.	New Perth,	J. M'Neill,	45	30	35	28	26	14	9
14.	Launching,	D. Robertson,	35	25	25	18	18	7	9
15.	Grand River,	R. M'Cormack,	26	22	22	15	12	0	0
16.	Little Pond,	J. M'Donald,	22	18	20	10	10	2	0
17.	Bay Fortune,	R. Barry,	38	24	20	7	7	0	0
18.	Rollo Bay,	J. Keenan,	38	30	30	15	15	5	5
19.	Souris,	P. Sweeney,	42	30	30	20	12	0	0
20.	Portage, East Point,	J. M'Neill,	42	30	30	16	4	2	0
21.	North Lake,	J. M'Diarmid,	54	36	35	15	3	0	0
22.	St. Peter's, North-side,	S. Farquaharson,	33	25	20	15	13	5	3
23.	St. Peter's, South-side,	J. Parker,	40	30	32	30	18	4	0
24.	Marie,	T. Walsh,	36	26	25	14	14	0	0
25.	Morell, Back Road,	S. Gill,	19	14	12	3	2	2	0
26.	Savage Harbour,	J. Ross,	54	24	40	15	15	2	0
27.	Black Bush, North-side,	J. M'Innis,	24	18	19	10	8	2	0
28.	Bay Fortune,	Miss Owen,	36	26	24	20	15	7	2
29.	Head Cardigan,	Miss Alley,	40	26	32	15	12	10	8
30.	Pisquid Road,	Miss Ross,	32	22	22	10	6	0	0
31.	Souris, West-side,	Miss Logan,	26	18	20	16	12	3	2
32.	Montague Bridge,	Miss M'Gregor,	30	22	20	10	10	2	0
Total,			1,225	856	912	581	455	134	81

Four of the Schools reported in September have been closed, viz., those at the Head of Hillsborough, Saint Peter's Settlement, Souris Line Road, and the Female School at Georgetown. On the other hand, three then vacant have been got into operation, viz., at Little Sands, Little Pond, and Black Bush, Lot 44. Consequently the educational seminaries in active existence at the present time, including the Infant School at Georgetown, No. thirty-three, dispensing instruction to about One thousand two hundred and sixty children.

The number of pupils instructed in the different branches, and the Schools in which those branches are imparted, will be ascertained on reference to their enumeration in the preceding abstract.

SYSTEM OF TUITION PURSUED.

The analytic, or explanatory method has superseded the former monotonous uninteresting routine, and is now generally prevalent. More varied and judicious modes of illustration have been suggested and introduced, and in several instances, have been singularly conducive to the development of the juvenile understanding, and the facilitating of the educational process. Many of the preceptors of youth are suitably qualified for their vocation, and by promptly adopting, and perseveringly adhering to the improvements which experience, and the advancing state of knowledge have elicited, have been chiefly instrumental in organizing and sustaining the Schools committed to their charge, and have the satisfaction of seeing their exertions crowned with uniform success. The pupils are instructed in the meaning of what is read, as well as in the art of reading; and it is to be regretted, that such a paucity of the National Books obtains, as they are peculiarly provided with that kind of reading adapted to interest and exercise the opening faculties of children, and also of leading them by easy gradations to the pronounciation of the English language. Those acquiring Arithmetic and English Grammar, are classified according to their attainments, and undergo daily review in the various stages of their progress. Spelling is commonly taught to the junior pupils from prescribed tasks, from the columns of Spelling-books and exercises from their reading lessons. The more preferable and judicious method of inculcating Orthography, especially to the senior children, by the Black Board and Dictation, has been suggested and introduced as extensively as practicable.

Instruction in Writing, is still too exclusively limited to the transcription of head lines. The performances in this department were unsatisfactory in about one-third of the Schools, and the absence of proper desks, and suitable stationery, may be adduced as principal accessaries to the Teachers' negligence in contributing to the censurable condition of Penmanship extant in those Schools.

NUMBER AND DESCRIPTION OF SCHOOL HOUSES.

There are Thirty-four District School Houses in King's County, of these Eleven are frame, and Twenty-three log houses. All the frame and nine of the log ones are furnished with substantial stoves, chimneys are in the remaining fourteen. The frame houses present a creditable exterior; but nearly one-third of them are still lamentably deficient in internal furniture and apparatus. One-half of the log houses are admirably lighted, and internally furnished; being on the whole, tolerably adapted to their destined uses, and affording suitable accommodation to the children in their respective localities. The remainder are ill-looking, ill-lighted, ill-furnished, both inwardly and outwardly, and completely destitute of that attraction and comfort so essential to a School House. No new Houses have been erected since I reported in September, though several have received partial and needful repairs.

BOOKS, APPARATUS, &c.

Murray's English Reader, commonly Humphrey's Edition, Introduction and Spelling Books, interspersed with the National and the Text Books, from which elementary education is universally com-

municated. The New Testament, (Douay and Protestant version), is also generally used as a class book. Gray's Arithmetic, Chambers and Stewart's Compendiums of Geography, are the manuals from which instruction in those respective branches is imparted. The acquisition of typographical Geography, and the elementary principles is retarded by the destitution of diagrams and delineations addressed to the eye and capable of affording adequate illustration. No School is in possession of a pair of Globes.

Wall Maps of the Hemispheres, are only to be seen in six or seven. The aid of the Black Board is becoming more generally recognized and adopted. Its utility in simplifying and facilitating the acquisition of Orthography and Arithimetic, cannot be over-estimated.

Though it is matter of regret, that several Schools are still destitute of this requisite, yet it receives legitimate attention, and is turned to good account in sixteen or seventeen.

DISCIPLINE, &c.

Order and regularity in a School, are of primary importance. Where not stringently enforced, insubordination and consequent disorganization must inevitably follow. Experience has demonstrated the association of punishment with certain moral offences, and the infliction of pain, to be necessary in order to controul and render obedient refractory children, that persist in the wilful commission of crime.

Corporal punishment can only be salutary so far as it is accessory in deterring from crime.

It should be based on justice, and limited to utility, and as far as possible exhibited as the natural result of criminal actions.

Teachers, however, should be careful not to identify pupils with faults committed accidentally, and which are, perhaps, inconsistent with their natural dispositions; and also, never to correct in anger.

Coercive measures are becoming gradually less resorted to, and a more rational and efficient mode of inducing subordination substituted. Confinement during the intervals of relaxation, depression in the class, &c., are common for minor offences.

But the grand secret subservient to the maintenance of mild and thorough discipline, is to keep the children actively and usefully employed; and without which, all other appliances, will be alike vain and nugatory.

No instance of the harsh or improper treatment of children, have come under my notice. Trustees and parents are agreed in imputing the Teacher's shortcomings in this respect, as leaning to the side of leniency.

MISCELLANEOUS.

I am not officially cognizant of any deliberate violations of the Rules and regulations provided by the Board of Education for the guidance and management of the District Schools.

The Teachers, as far as practicable, cheerfully acquiesce in, and conform to their requirements; and I gladly avail myself of this opportunity of bearing testimony to their uniform diligence during the past five or six years of my official intercourse with them, in discharging the incumbent duties of their arduous vocations, frequently under the discouraging influences of apathetic indifference, and want of co-operation on the part of Parents and Trustees, and in displaying praiseworthy willingness to receive and communicate every information bearing on or connected with the profession.

Trusting that the foregoing condensed statement embraces whatever may be deemed desirable in reference to the condition and administration of elementary Education in King's County,

I subscribe myself, Gentlemen,
Your obedient servant,

JOHN ROSS.

Georgetown, February, 1853.

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No. 17.

Extract from a Despatch from Earl Grey, to Sir Alexander Bannerman, dated 29th November, 1851.]

“ I have had under my consideration your Despatch No. 15, of the 5th July, transmitting two Acts passed by the Legislature of Prince Edward Island in their recent Session, No. 814, ‘For establishing the rates in Currency at which Rents reserved in Sterling shall henceforth be paid in this Colony.’

“ With regard to the first of these Acts, I have to inform you, that Her Majesty’s Government have carefully weighed both the reasons which have been adduced in its favour, and the protest of the dissentient Members of the Legislative Council, and other representations which have reached them against it, and however unwilling to object to a measure which appears to have received the unanimous assent of the Assembly, they have not felt themselves justified in advising Her Majesty to confirm an Act, of which the object is to alter, by Legislation, the terms of Contracts voluntarily entered into by individuals.

“ I observe, that the provision of the Act is confined to cases in which the Landlords have been already in the habit of receiving their Rents on a calculation, assuming less than the actual depreciation of the Currency.

“ This gives me reason for hoping, that no serious practical inconvenience will arise from its not being confirmed; since I am not aware of any good reason for supposing, that Landlords will in future show less indulgence than they have hitherto done.

“ If Legislation should be required in order to facilitate voluntary arrangements between Landlord and Tenant, on the basis of making Rents payable for the future in Currency of the Island, at the rate at which it has been practically received, I think that such Legislation would be both proper in itself and likely to be attended with much advantage.

“ There may also be special cases of hardship and injustice likely to arise, from the state in which the Law will be left from the non-confirmation of this Act, for which it may be proper to afford a remedy.

“ I cannot, but observe, in conclusion, that the difficulties which have arisen in this case, afford a striking proof of the injustice and inconvenience which are inevitably inflicted on individuals, by measures affecting the Currency, which involve a departure from sound principles.”

No. 5.

[COPY.]

GOVERNMENT HOUSE, P. E. ISLAND,
January 16, 1852.

MY LORD ;

In reference to my Dispatch of the 2d instant, in which I had the honour to transmit, at the request of the Executive Council, a document signed by them relative to a further issue of Treasury Notes, I have now informed the Council, that I must bear my testimony to the honesty and sincerity of their conviction, as to the equity and justice of the one-ninth Bill, which they advocate, towards the Tenantry of Prince Edward Island. I have also informed the Council, that as the Assembly will meet on the 22d, I shall consider it to be my duty, to express my regret to both branches of the Legislature, that in passing so important a measure as a Bill to regulate the currency in the year 1849, they should have omitted also

making necessary and just provisions for their existing contracts and obligations, according to established custom and usage of the Colony, instead of leaving parties in uncertainty, and subjecting their contracts and engagements to the interpretation of Legal tribunals and Courts of Law.

The question has now become one of vast importance, and in a future Dispatch, I hope to be able to prove, that no injustice was contemplated towards the Proprietors in this Island; and I trust, that before the termination of the ensuing Session, I shall receive such instructions from your Lordship, as will enable the Legislature to set the question at rest, and promote the peace and prosperity of the Colony.

I have the honour, &c.,

A. BANNERMAN.

The Right Hon. Earl Grey.

No. 18.

No. 1.

[COPY.]

Despatch from Sir A. Bannerman to Earl Grey, on the subject of an additional issue of Treasury Notes.

GOVERNMENT HOUSE, P. E. ISLAND,
January 2d, 1852.

MY LORD ;

I have been requested by the Executive Council to forward to your Lordship the accompanying memorandum, with the draft of a Bill proposed to be introduced by the Members of the Government in the ensuing Session, provided such a measure, or any similar one, which would accomplish the object which the Council have in view, namely, to withdraw from circulation the whole of the Treasury Warrants now afloat, would meet with your Lordship's sanction.

2. In the present state of the Colony, with an increasing Revenue and better credit, it would be very undesirable that any measure affecting its financial arrangements should be disallowed by Her Majesty's Government. I am induced, therefore, to accede to the wishes of the Council, and before any such Bill is brought forward, I am desirous to ascertain, for their and my own guidance, what may be your Lordship's views on this subject.

3. It was one which was formerly brought under the consideration of the Imperial Government, in consequence of joint Addresses from the two Houses of the Legislature, praying Her Majesty's assent to authorize the issue of £10,000 in Treasury Notes, redeemable in fifteen years. The Addresses were accompanied by a Dispatch from the Lieutenant Governor, enclosing a Memorial from several Inhabitants of Prince Edward Island, objecting to any such issue of paper money; and the Colonial Minister, Lord Stanley, did not think it advisable to accede to the prayer of the Address, for reasons contained in his Lordship's Despatch.

4. In the subsequent year, 1847, Commissioners were appointed by the Lieutenant Governor to enquire into the state of the Currency of Prince Edward Island, and their report will be found in Appendix No. 5, Journal of the Legislative Council for that year.

5. No alteration, however, has taken place in the Warrant system until this year, when the Government were enabled, with your Lordship's sanction, to borrow £10,000, and to pay off an equivalent amount of Warrants. Nearly the whole of this loan has been effected at 5 per cent., notwithstanding the predictions of some who have long benefitted in so pernicious a system, by purchasing and discounting at usurious rates of interest, Warrants to large amounts, to the great detriment of the Colony, and pecuniary loss of poor individuals.

6. The application to the Colonial Minister in 1846, was made under very different circumstances, and when the Revenue of the Colony was only £16,000. It will now exceed £25,000, and if a further issue of Treasury Notes, as suggested by the Council, can be sanctioned by your Lordship, and the Government be thereby enabled to do away with the Warrant system, nothing, in my opinion, will tend more to promote the interests of the Colony, provided care be taken by the Legislature that its expenditure shall be kept within its income, and the debt gradually diminished.

7. In conclusion, I have only to add, that the statements in the Memorandum of the Council are substantially correct; that of the £11,500 Treasury Notes now in circulation, £300 have never at any time been in the hands of the Treasurer; and although the holders have the power to fund at 6 per cent., if not paid in specie, by Colonial Statute, 5 Geo. 4, cap. 18, no such operation ever took place, the Colony thus saving the interest on the amount of Treasury Notes—showing that hitherto the issue has been far from excessive, and forming only a small amount in proportion to the Notes, which find their way from the neighbouring Provinces, without which the ordinary business of the Colony (at present too much carried on by truck and barter), would come to a stand still. As the Legislature will meet in February, may I request to be favoured with your Lordship's views, at your convenience.

I have the honor, &c.

(Signed)

A. BANNERMAN, Lieut. Governor.

The Right Hon. Earl Grey.

No. 2.

[COPY.]

(Memorandum.)

The Executive Council having directed their attention to the subject of the Monetary and Financial affairs of the Colony, submit for your Excellency's consideration such facts and data in relation thereto, as they trust, will satisfy your Excellency and Her Majesty's Government that the present circumstances of this Colony require a larger amount of circulating medium for the transaction of its commercial and financial business; and in the absence of that accommodation which wealth and private enterprise in richer or more populous communities supply for the operations of trade—the Council are of opinion, that the best substitute that can at present be devised, would be such a further issue of Treasury Notes as, with those now in circulation, would not exceed the amount of the annual Revenue of the Colony; a measure, which they believe, would be fully sustained by public opinion, without diminishing in the slightest degree the public credit; whilst at the same time it would enable the Government to withdraw from circulation the whole of the Treasury Warrants now afloat, by the substitution of a more tangible and negotiable medium than the Warrants, which, based upon the same security, would form part of the local circulation, and would be received at all the Public Offices, as a legal tender in payment of Taxes.

The Council would further observe, that in the year 1825 the Legislature of this Colony was induced, from the scarcity of Specie in circulation, and in anticipation of advantages to be derived from an issue of Treasury Notes, in forwarding the internal improvements and facilitating the mercantile transactions of the Colony, to issue Notes to the amount of £5000, equal to one year's Revenue at that period.

In consequence of the advantages found to be derived from the issue of such Notes, the Legislature, at three subsequent periods, increased the issue to the extent of £16,800, at which period, the Revenue of the Island was only £9019 0s. 8d.; but from this amount £5,000 have been cancelled out of Monies raised by an Assessment on Land, leaving only £11,800 at present in circulation.

That the system of trade carried on between this Colony and the adjacent Provinces, which are the Chief markets for the surplus agricultural produce of the Colony, is such, that a great proportion of the

sums brought into it in specie, or Bank Bills of these Provinces, is immediately collected and returned by the importing merchant in payment of his merchandize.

That there being no Banking institutions in this Island, it is impossible to retain sufficient specie to serve the purpose of an exclusive circulating medium, to supply the wants of its trade.

That an increased issue of Treasury Notes would supply a great public accommodation, and be a saving to the Government, without at all endangering the public credit.

That in order to guard against the depreciation of the Treasury Notes, the Legislature passed a law (on their issue) to enable the holders of such Notes to fund them and to receive interest thereon, at the rate of six per centum; yet such has been the estimation by the public of the security arising from the increasing revenue of the Colony on which such issue was originally based, that no instance has yet occurred of any such Notes having been so funded; but they continue to be received at their specified value.

That the Annual Revenue of the Colony has increased since the first issue of Treasury Notes in 1825, from £5,000 to £25,000, while the population has increased during the same period from 23,000 to nearly 70,000.

That owing to the want of Bonded Warehouses, and to the peculiar nature of the trade of the Colony, where business is chiefly carried on upon a system of credit, it is found necessary for the Government to grant to the merchants and importers of the dutiable articles, a credit of from three to twelve months on the payment of their duties and taxes, upon such importer giving his Bond, with approved security, for the payment of the same. This practice has hitherto rendered it necessary for the Government to issue Treasury Warrants in the nature of Exchequer Bills, in anticipation of the Revenue of the current year, (bearing interest until paid), for the payment of all public services, as in the absence of a surplus Revenue on hand the public business could not be carried on.

The Council are aware, that the most effectual method of sustaining public credit, is by a speedy liquidation of the public debt, and by limiting its income; but in a young country like Prince Edward Island, which, thirty years ago, was almost destitute of Roads, Bridges and Wharfs, Public Buildings and other improvements, the making of which constitutes the only debt due by the Colony, they consider the debt contracted for such purposes to have been founded in a wise and enlightened policy; and it behoves those who have a permanent interest in this young and growing country, and who are entrusted with the management of its affairs, to avail themselves of every expedient consistent with that security which should always be afforded to the Public Creditor to promote its improvement.

It is not difficult to trace the advancement of this Colony from a comparative wilderness to its present condition—vicing with its more populous neighbours—to that stimulus which was first imparted in 1825 by the issue of Treasury Notes, with which many most important public improvements have been effected, although the amount of the revenue at that time did not exceed £5,000, whereas had the Government of the Colony waited until it had a surplus revenue in hand, to effect those objects, this Colony would have been a wilderness to this day. Or had those checks and restrictions on the issue of paper money, which are no doubt, applicable to older and more wealthy communities been enforced, the people of this Colony could not have complied with them; and the advantages which it has derived would not have been realized.

We feel assured, that your Excellency will concur with us, that the credit of the Colony never stood higher, and that with an increasing population and revenue, with many of its valuable resources yet un-

developed, no danger need be apprehended from the insignificant debt with which it is burdened; nor by pledging its credit for the small additional issue of Notes now sought to be obtained.

The proportion which the Treasury Notes of this Island bear to the general circulation of the Colony, so far as the same can be ascertained by the amount paid into the public Treasury, and certified at the quarterly audit for the present year, amount to only about one-tenth of the circulation, whilst a large amount of the paper of private Banks in the adjoining Provinces supply in part the deficiency, without affording a security at all equal to that given by the Laws of this Colony to the holders of its Notes.

That on the 31st January last, the amount of Warrants in circulation was £23,712 1s. 6d., bearing six per cent. interest, at which time, after taking credit for the assets then in the Treasury, the Public Debt, including £11,800 of Treasury Notes in circulation, only amounted to £16,681 16s. 4½d. That since that period, up to the 30th November 1851, £19,704 18s. 6d. of such Warrants have been paid off; as also the sum of £5,882 13s. 7½d. of Warrants drawn since the 25th April last, for the services of the current year; £1,842 15s. 7½d. of which latter amount has been paid on demand in liquidation of sums of £10, and under, thus greatly reducing the amount of small Warrants, in compliance with the suggestions of Her Majesty's Imperial Government, as communicated in the Despatch of Lord Grey, No. 6, of date April 10, 1851; and no Warrants have since been issued, bearing more than five per cent. interest, by which a saving of one per cent. on the Public Debt has been effected.

That from the returns of the Revenue for the last two quarters, the Council are warranted in believing, that there will be a material increase over the past year; and that it will fully meet the expenditure of the last Session, although the appropriations included large sums for the services of the year 1850, which had not been previously provided for.

The Council are not desirous that such an issue of Government paper should be made, as would at all disturb the exchange between this and other countries, nor as would lead to a depreciation of its Notes; nor do they aim at the establishment of a Government Bank supplying that accommodation so requisite for the due management of commercial operations: they believe, with Her Majesty's Imperial Government, that such accommodation and operations more properly belong to, and would be best secured by private enterprise; but at the same time until such institutions are established, they conceive it to be the duty of the Government to do all in their power to facilitate the development of the resources of the country, and to make the well-established credit of the Colony available for every legitimate object of improvement and economy.

The Council would further remind your Excellency that the measure which they desire is not a mere experiment, nor one of a doubtful policy; the experience of twenty-six years can be adduced in its favor, and no alteration of the existing laws will be requisite beyond the authority to increase the issue to the amount before stated.

The Council, therefore, respectfully submit to your Excellency, that if the consent of Her Majesty's Government were obtained to the passing of a bill to authorize the further issue of Treasury Notes, under the regulations, and subject to the Laws now in force relating to Treasury Notes, to such an amount (viz. £13,200), as would with those now in circulation make £25,000, much benefit would accrue to the Colony; and we feel assured, that such a measure will give great and very general satisfaction to the public. They, however, concur with Lord Grey's suggestion, that no part of the proposed issue should be in Notes of a less denomination than One Pound.

The Council sincerely hope, that the reasons herein set forth will secure your Excellency's co-operation in carrying into effect a measure that is so earnestly desired by the people of this Province.

Should your Excellency consider that the Royal Instructions require Her Majesty's consent to the introduction of a bill for the purpose, the Council beg to submit the draft of the same, and to solicit your Excellency's best influence to give effect to their wishes.

(Signed)

GEORGE COLES,
CHARLES YOUNG,
WILLIAM SWABEY,
JAMES WARBURTON,
JOSEPH POPE,
EDWARD WHELAN.

Council Chamber, December 4, 1851.

No. 19.

**Report on the District Schools in Prince County, for
the Half Year ending October, 1852.**

TO THE BOARD OF EDUCATION ;

Gentlemen,—You are well aware, that a feeling of hostility to the principle on which our Legislature has decided to raise a revenue for the support of Schools, has been manifested among all classes (irrespective of party politics) in our community.

In my last report, I stated the embarrassments I had to encounter in my circuit, while endeavouring to enlist popular sympathy in favour of Free Education ; and I regret to inform you, that dissatisfaction still prevails in several Settlements, notwithstanding the enactment passed by our Legislature for the establishment of Schools on that system ; however, I believe, that this counteracting influence may fairly be attributed to the misrepresentations of individuals, who, from sordid motives, are opposed to the scheme. The postponement of the "Royal Assent" to that Act, affected injuriously the Schools in general, some have been closed, and several scholars have been withdrawn from those in operation, so that the decrease and irregularity of the attendance of those receiving instruction, as well as other discrepancies which the Registers for this term exhibit, have resulted from circumstances beyond the controul of the Teachers.

In view of the apathy to sustain the Schools, so prevalent with few exceptions in all the districts, and considering the consequent discouraging perplexities to which the Teachers were subject, the progress of the pupils examined in almost every School surpassed my expectations. The inefficiency of the public Schools may be traced to popular indifference, as the chief source from which the most serious defects emanate; and it is surprising, that any young men of spirit do aspire to the profession. Many assume it as a kind of stepping-stone to some other business; and therefore, abandon it as soon as "ways and means" enable them to obtain a remunerating appointment. There are others who engage to teach school, in order to enjoy an easy life; but who have neither tact nor taste for teaching, and who never contemplated to devote the energy and activity to their duty which are necessary to secure success. In the discussion in my former reports on the causes that retarded the progress of our District Schools, I endeavoured to prove, that the practice of engaging teachers at the lowest price was bad policy. I sug-

gested that the amount of compensation should be raised to encourage competent Teachers to follow the employment as their business for life. Among our Teachers there are many in every County, who reflect honor on their profession; yet the great and pressing want in relation to the Schools, that in comparison with which most of the others sink into insignificance, is the want of well-qualified Teachers. No more serious question can be asked—than the question—How is this deficiency to be supplied? Hitherto skill in teaching has been almost exclusively a consequence of personal experience. The majority of Teachers have begun ignorant of their art. Such as had a peculiar talent for it have arrived at excellence; but their improvement has been made at the expence of experiments upon their pupils. The business of Teaching should be performed by those who have studied the subject of instruction as a profession. A staff of skilful instructors can only be gradually organized. A training school in which the lessons given in the theory of the art can at once be reduced to practice, is indispensable to realize the benefits and blessings which the law lately enacted by our Legislature was intended to diffuse.

It was but reasonable to suppose that the transition from the old to the new system of Education would "begin at the beginning." The institution of at least one Model School in each County, is an innovation that should be one of the chief characteristics of the alterations adopted to elevate and improve the condition of our common Schools.

Distinguished writers on this science admit as a postulate, that the most efficient inspection of Schools does not supersede the professional training of Teachers. In the absence of such indispensable auxiliaries a sense of duty urges me to propose that a memorial be presented to the Legislature, praying for aid towards the establishment of Teachers' Institutes. We may surely expect, that liberal subscriptions would be readily provided by a generous public, to supplement the Legislative appropriation for such a praiseworthy project, when we consider the annual bounties bestowed as "Prize Money," to call forth a spirit of rivalry at the Ragatta and Horse Races, which too often result in revelry and riot. There are several cases that might be adduced as evidence of public benefaction, to stimulate enterprise and improvement; and it is truly gratifying to see individual effort, the power of associated action, combined with the influence of well-digested laws, evoking native ingenuity and industry; still, the advancement of Education is the most certain and effectual means to elicit the resources and promote the progressive prosperity of the country. Persons following industrial pursuits, have thrust on them exciting and attractive inducements to aspire to excellence in their respective vocations; but the teachers of our youth have no incitements to provoke each other to good works.

There has been but little progress in the increase of school apparatus during the past half-year. Any improvements introduced, have been principally confined to the illustration of geography by means of outline maps. Several of the Schools are furnished with Blackboards of some sort; but in most instances the arrangement in this respect is very far from being what the interest of the Schools demand. There are insurmountable difficulties in the way of establishing School-District Libraries, in Settlements where they are most needed, and where they would do the most good. In all such districts, the people are unable to bear the burden; and of course, they are unwilling to move in the matter.

It is anticipated, that a uniform system of the most approved modern methods of instruction—modified to suit the circumstances of the country—will be simultaneously introduced with the establishment of Free Schools. Many seem to suppose—if their opinions may be fairly inferred from their insinuations—that the course of study and the method of teaching to be adopted, must be conducted with special reference to the future occupation of the pupils. Without attempting to furnish an argument in refutation

of this vague idea, I beg to submit the testimony of Dr. Barnas Sears, Secretary of B. of E. Massachusetts.

“ Nothing can be more crude than the notions often put forth on this subject. Of those things necessary to be known and practised in common life, scarcely one is adapted to the School-room. These are not the subjects in respect to which the parent needs the aid of the teacher. He can teach the knowledge of his own business or cause others to teach theirs to his children better than it can be done in the School-room. To talk of a practical school where the rules of art, without its principles, are taught, is idle. The knowledge common to all persons of ordinary education should go before that which is peculiar to any profession. It follows that all children need essentially the same elementary education. We cannot foresee what will be the occupation or condition of the child on reaching his maturity, and cannot therefore safely descend to specialities in his education. Time must develop the order of his talents, and circumstances must determine the sphere of his duties. Meanwhile, his education should be such as to fit him equally for any of the ordinary situations of life.

Men whose opinions are of great weight in matters of education, entertain serious doubts of the wisdom and justice of publishing comparative statistics of schools; and appending a schedule exhibiting special expositions of the relative skill and success of the teachers. This expedient has been adopted as an impetus to generous emulation, but I have known it to raise a contrary influence; and in cases of delinquency, the teacher who will not profit by friendly suggestions or remonstrance, will receive but little benefit by being officially posted as an inferior instructor in Visitor's Report.”

While visiting the Schools in Prince County, I felt that I was not merely going through a ceremony prescribed by law, but that I was to no inconsiderable degree, responsible for their success. Under the influence of this feeling, I have uniformly endeavoured faithfully and plainly to point out, whatever in my opinion might be altered for the better; but it affords me heartfelt satisfaction to acknowledge the seeming readiness and even pleasure with which teachers have in every instance received my suggestions; even though they might sometimes, have justly thought them spiced with severity. This token of the confidence of those with whom I have had official intercourse, and the respectful attention shewn me by the people in general, have rendered my visits, with all their burden of responsibility, a peculiarly pleasing duty, and they will be cherished among the happy things of memory.

Number of Schools in operation for this term,	27
Do. do. vacant do.	13
Do. Scholars enrolled,	785

The reasons assigned for the suspension of many Schools, and the decrease of attendance are certainly reprehensible.

All of which is respectfully submitted by

JOHN ARBUCKLE, S. V.

October, 1852.

Prince County District Schools.

TO THE BOARD OF EDUCATION;

GENTLEMEN,—I regret to inform you, that my Journal during my recent inspection of the Schools in Prince County, does not exhibit any important changes. The facts and deductions submitted in my last Report, indicate, in my opinion, the general condition of the Schools in operation. The pupils attending the Schools in Searletown and in Bidesford, was satisfactory evidence that the Teachers and the Inhabitants in these Districts, cherish praiseworthy interest in educational improvements.

The Princetown School has been re-opened under the management of Mr. W. Porteous. This School is numerously attended, and the progress of the pupils is unmistakable evidence of the Teacher's tact and talent.

I regret to inform you, that the Bedeque Central School was closed when I visited that District.

Having in previous Reports discussed the various topics connected with the general management of the District Schools in Prince County, I design in the present, to submit an abstract from the Report of the Honorable E. M. Thurston, Maine, on School Architecture.

Many applications have lately been made to me from different parts of the County; the people are beginning to think in earnest about remodelling their School-houses or building anew.

Mr. Thurston and other distinguished friends in the United States, have kindly furnished me with several valuable documents, exhibiting the data on which a system of a "Free Public Institution" should be based. It may be proper to remark, that in preparing a plan for a particular district, many contingencies peculiar to that locality must be considered, and hence no plan would suit equally well for different districts; but I hope, a modification of the general principles presented, may be adopted.

In the construction of our School-houses, it never seems to have been a question, how can we construct the house so as best to promote the comfort and education of our children?—but on the contrary the only question seems to have been, how can we get the greatest possible number in to the least possible space? and the man who could answer that question, and build the house the cheapest, was of all men the very man to build it. The benches in many of these houses are so constructed, that it is impossible for the child to sit with any ease. He is compelled to sit erect, with no support for his back, or to lean only against the rough edge of a plank. The walls, the windows and window-casings of most of these buildings are in such a condition, that a scholar cannot sit near them without serious exposure to his health.

In some, the stove, pipe, and chimney are at fault. In this state of circumstances, does it not become us, by examining the enlightened views of those who are devoting their whole minds to this noble cause, to endeavour to raise the character of the Schools in this country?

Respectfully submitted, by

JOHN ARBUCKLE, S. V.

February, 1853.

WARMING.

There has been much investigation, and many experiments have been tried within a few years, to determine the cheapest, the most convenient, and the healthiest mode of warming School-rooms. Although this investigations and these experiments have elicited much truth, still I am inclined to think, that for a small country district, where the means are necessarily limited, the cast-iron box stove, with certain modifications and improvements recently made, is as good an arrangement as any thing that has yet been devised. It is certainly as cheap a method and as convenient as any. The only objection is, that it is not so healthy; but if the room is well ventilated, the heat kept at a medium temperature, and a basin of pure water constantly on the stove for evaporation, little or no inconvenience will be felt.

One modification in the common stove for School-rooms, consists in enclosing the stove in a sheet-iron case; leaving a space of about four inches between the plates. A tube extends down from the under surface and connects with an air duct which is placed beneath the floor. Apertures are made in the upper part of the casing for admitting the warm air into the room. By this arrangement pure air from the outside of the building enters the hot air chamber under the stove, is warmed in passing round and comes out at the top; the casing will never become very hot; children will not be burned in falling against, and those sitting near will not suffer from too great heat.

Another improvement in the cast-iron box-stove, is exhibited in "Miller's Patent Ventilating School House Stove." In this the air is conducted from without into a chamber below the fire-plate, passes through the stove in cast-iron pipes, and well-warmed, enters the room from the top. A few of these stoves have been recently introduced into this State. There is one in each room of the School House at Augusta, erected the last season. Considered as a warming and ventilating stove combined, it works admirably. It is not so expensive but any district might procure one. It is perfectly simple in its construction, and requires no more skill in tending than a common stove.

"But whatever method is adopted, the district must furnish the right kind of fuel, in a right condition, in a suitable quantity, and in due season;" and the Teacher must see to it that the room is kept at the right temperature. It will not answer to let any scholar at random fill the stove full of dry wood, and perhaps, raise the temperature of the room fifty degrees in the space of ten minutes. The Teacher must have the oversight of this matter himself; and in order to manage it properly he must have some regulator besides his own feelings. It is utterly impossible for any Teacher after he has been in the school-room two or three hours, to tell by his feelings whether the warmth of the room is adapted to the condition of the scholars. He is generally on his feet moving about frequently near the fire; whilst his pupils may be seated and motionless in the back part of the room, with little or no blood circulating through their lower extremities. At one time the Teacher may feel fresh and vigorous and require but little heat to keep him comfortable, at another time, his system may be in a different state; and it may require much more caloric to drive off the cold chills. But the health and convenience of the School should not be exposed by these unavoidable changes in the Teacher's feelings. The Teacher then should be furnished with a thermometer. A cheap article costing \$1 or \$1.25, would answer every purpose. It should be suspended in the room, and never during school hours be allowed to go below 65° or above 70° Fahrenheit.

VENTILATION.

Is one of the essentials of a good School-room, since upon it depend the vigor and activity of the animal economy. The air we breathe is as essential to life, as is the food we eat. If the air we breathe is impure and diluted, the consequence is equally fatal as if our food were deficient in quantity, or poi-

sonous in quality. It is the object of ventilation to furnish a constant and sufficient quantity of pure air properly regulated in regard to heat, moisture, and velocity; and to remove the impure air as fast as it becomes vitiated by respiration, perspiration, and the burning of fires and lights.

Ventilation is to be effected by producing movements and changes in the atmosphere; hence some knowledge of certain properties and conditions of this element, especially those properties and states more immediately connected with this subject, is absolutely necessary in applying any rational and efficient system.

The air we breathe, is a perfectly elastic fluid, void of taste, colour or smell; extending upwards from the surface of the earth a very great but an undetermined distance. In common with other fluids, when confined, it presses equally in all directions. Its elasticity varies inversely with the distance of the particle from each other. It is most dense in the lower strata, and the density decreases in ascending. The atmospheric pressure on every square inch of the earth's surface is 14.6 pounds. 13.06 cubic feet of air weigh one pound avoirdupoise. A volume of air increases in bulk equally for equal increase of heat, as measured by the thermometer. One hundred cubic feet of air at 32° being raised in temperature to 212°, will increase to 136.6 cubic feet; hence for every degree of heat, air expands 1-491 of its bulk at 32°. In heating the air of a room, there is a constant interchange of particles. The particles in contact with the warming apparatus, become heated and then change position with the cold particles. It is supposed that one particle of air never communicates its heat to another particle less heated.

From the properties enumerated, it might be inferred, that the atmosphere is a simple substance; this, however, is not the fact. It is composed principally of two ingredients technically called oxygen and nitrogen. The proportions by weight are oxygen 23.02 parts, and nitrogen 76.98 parts; or by volume, 20.8 parts of the former, and 79.2 parts of the latter. This proportion is invariably the same in all climates at the level of the sea, and at the highest point to which man has ascended.

The oxygen is the life-giving and fire-sustaining element, and so exactly adapted is this proportion to the wants of nature, that should the per centage be changed to any considerable extent, the most fatal consequences would ensue. Should the oxygen be much increased, fuel would burn with such brilliancy that the flame could scarcely be endured; and all animal life would be so excited to over action, that the most vigorous constitution would be exhausted in a few days. Should the oxygen be withdrawn, fuel would cease to burn, and man and beast would faint, and droop, and die.

The nitrogen of the air has generally been regarded as entirely neutral in its effects on the human system, used merely to dilute the oxygen, as the Homœopaths use the extract of whey to dilute his medicines. It is possible, however, that it performs some more important, but as yet unknown agency in the animal economy.

In addition to these two principal ingredients, there is always found in the air a small but variable quantity of carbonic acid gas. This does not usually exceed the tenth of one per cent.

Some other matter in minute quantities, is usually floating in the surrounding medium: such as impalpable dust, and the various effluvia emanating from vegetable, mineral, and animal kingdoms.

The atmosphere at all temperatures contains more or less aqueous vapour. In clear weather, this vapour is in an invisible state. When the air contains the greatest amount of which it is capable, it is said to be saturated. It is found that the higher the temperature of the air, the greater is its capacity for moisture. At 32° it is capable of holding the 100th part of its own weight; at 59° the 80th part, and 86° the 40th part.

A due degree of moisture in the air we breathe, is of the utmost consequence to the healthy condition of the physical system. Expired air is uniformly saturated, or nearly so, with aqueous vapour; if then, the inspired air is very dry, too much moisture is absorbed from the lining membrane of the mouth, throat, and lungs, causing extreme thirst, and sometimes inflammation of the parts affected; if, on the other hand, the inspired air is saturated with vapour, the organs of respiration have no medium for throwing off that amount of moisture essential to their healthy condition.

Insensible perspiration is also equally affected by this condition of the atmosphere. If the surrounding medium is completely saturated, insensible perspiration nearly ceases; but if the air is perfectly dry, moisture is absorbed from the external surface so rapidly, that the skin becomes dry and parched. The Sirocco and the Harmattan illustrate the injurious effects of extremes in the moisture or dryness of the atmosphere.

It is a common practice in our winter schools, by means of a close-stove, to raise the temperature of the air in the room from a point sometimes as low as zero, up to 70° or 80° Fahrenheit, without furnishing any additional moisture except the filthy vapour exhaled from the lungs. If no other regulation is provided, at least every school-room should be supplied with a large evaporating dish, with a movable cover. The dish should be well cleansed every morning, filled with pure water and placed on the stove.

It is difficult to determine by experiment, the exact amount of air inspired in a given time. Experiments have obtained different results. We shall take the smallest quantity, as the nearest approximation to the truth. By inspiring eighteen times per minute, taking in twenty cubic inches of air at each inspiration, an individual would breathe over three hundred and sixty cubic inches per minute, and twelve and a half cubic feet per hour.

It is found by chemical analysis, that the air thrown from the lungs is a very different article from that taken in. The former contains about the same quantity of nitrogen as the latter, but considerably less oxygen, more aqueous vapour, more carbonic acid, and not unfrequently some particles of animal matter. The expired air is entirely unfit to be taken into the lungs the second time. Besides other impurities, it contains at least four per cent. of carbonic acid gas. It is so far deprived of the vital principle that it will not support combustion: a burning taper immersed in it is instantly extinguished.

But respiration is not the only cause of deterioration in the atmosphere of the crowded school-room. By the insensible perspiration of the scholars a foul effluvia is constantly emitted, and the air in contact with the surface of the body is rapidly receiving an admixture of carbonic acid; besides the burning of the fuel, in the cold season, consumes a large quantity of oxygen from the air. The burning of a pound of oil in a common lamp consumes the oxygen in 36.26 cubic feet of air; the oxygen uniting with carbon of the oil and forming carbonic acid.

When an attempt is made to inhale pure carbonic acid, violent spasms of the glottis take place; inspiration is completely prevented; convulsions of the whole body ensue, followed by insensibility and death. Hence when persons enter beer vats, deep pits and long closed wells, filled with this gas, they perish by suffocation before aid can be rendered. When this gas is sufficiently diluted to be admitted into the lungs, it acts as a narcotic poison: the violence of its effects depending on the degree of dilution. When but slightly diluted it produces giddiness, a sickening sensation at the stomach, muscular prostration, agonizing headache, bloated countenance, stupor and death. Such is the process when life is extinguished by placing burning charcoal in the sleeping apartment. As we find it in our unventilated

school-room, the symptoms are less violent, still perfectly obvious to the senses, and too destructive to the mental and physical energies of our children to be tolerated for a single day.

Take a school-room twenty feet square, seven feet high in the clear, heated by means of a sheet-iron stove, with no means of ventilation; occupied by sixty persons, of all ages from four to twenty-one years, —scholars not remarkable for habits of personal cleanliness. Let an accurate observer spend one day in that room and carefully note down such phenomena as result chiefly from the effect of vitiated air; and how reads his note book? In the morning, the scholars are vigorous in body and buoyant in spirits; full of life and activity; a healthy glow beams from every eye; those inclined to study, enter upon the duties of the day with the same animation in which they would engage in their sports; the teacher partakes of the common life and joy; he is pleasant and affable in his intercourse with his pupils; mild and perhaps lax in his discipline; to any reasonable request he answers "yes," with a smile. But time passes; and by an invisible process the steady vital principle of the air is rapidly changed to a deadly poison. At every inspiration, each scholar destroys five or six per cent. of the carbonic acid. Exhalations from the external surface of the body are vitiating the air with nearly equal rapidity; and the heated stove is performing a similar work. The animal spirits soon sink under the pressure of this gaseous poison. But the much desired recess comes, and by a shout, a bound and a snuff of the fresh air, the spirits revive; but only to be repressed again by "durance vile." An hour's intermission gives temporary relief. But behold! the contrast between the first and last part of the day. As the afternoon wears slowly away, the sparkling eye and roseate cheek no longer appear; the freshness and vigour of the morning you see not; instead of the elasticity of mind enjoyed in the free air; there is a disinclination to all mental exertion; the muscular system is relaxed; stupor has taken place of animation; there is a sickening sensation at the stomach; the mind is confused and the head aches; a thousand excuses are framed to go out or to be dismissed. The teacher as well as the scholars becomes nervous and irritable; the requests that in the morning he granted with a smile, he now denies with a frown. And all this is for the want of a pure invigorating atmosphere. It is utterly impossible that our children should be thus caged six hours per day during their school age, without a vast sacrifice of life and health, of physical and mental vigour, to the next generation.

Scholars thus situated cannot make much progress in their studies, even if they had a disposition so to do. And not only this, but it renders the school obnoxious to their better feelings. Not understanding the cause of their indescribable sensations, they are accustomed to associate them with their teacher or their lessons, and thus often, from this cause alone, truancy and punishment are preferred to school-room and its duties. But even admitting that this process did not seriously injure the health; that the child could learn as fast in this condition as in any other; that it did not tend to disaffect him with his studies: still a child educated in such a school-room as we have described would come out a very different specimen of humanity from one educated in obedience to the laws of nature. The character to be moulded and formed, does not depend entirely on the kind or quantity of instruction given, or on the mode of imparting it. The result may be very materially affected by the physical and mental state of the child during the time that the forming process is going on.

The Smith may hammer his steel at such a temperature as to render the edge tool worthless. The potter may construct his ware with mortar so tempered that his vessels will be rough, uncouth and brittle. And this principle holds true in a tenfold higher degree, in moulding and forming the human mind.

The practical question how the foul air can be removed from the school-room and the pure introduced in its stead, is one of great importance; and the greatest practical difficulty to overcome, is the idea prevalent in the community, that no necessity exists for any such arrangement. Whenever the subject is introduced, we are almost invariably referred to our forefathers who enjoyed health and vigor to a good old age, and never knew the meaning of the term ventilation. The fact seems to be entirely overlooked, that the huge open fire-place of our ancestors has disappeared from our houses, and the close stove substituted in its stead. The former furnished ample means of ventilation for all ordinary purposes. Even the high settle became necessary to protect the back from the current of air as it moved swiftly from the doors and windows and every crevice to the heated flue. But now we close the flues, stop the crevices, tighten the doors and windows, and take the oxygen in the room to supply the fire. This change of custom imperatively demands the introduction of some appropriate means for changing the air of the school-room.

Another obstacle is found in the idea entertained, even by those who admit the necessity of ventilation, that the doors and windows furnish ample means for accomplishing this object. But it should be remembered that the windows are for the introduction of light; that the door is a passage way for the ingress and egress of beings having the power of locomotion—that the atmosphere is an inert substance—that it will not move into, or out of, any aperture, except under certain conditions; and that a case might exist, where a poisonous air would remain stagnant when the doors and windows were all open. Besides the school-room needs ventilation, especially at those seasons of the year when open doors and windows would prove destructive to the health of the scholars and prevent the proper warming of the room.

Another practical difficulty in effecting a reform on this subject, is the fact, that it cannot be thoroughly accomplished without considerable expense; and the true principles of ventilation are so vaguely understood by the community, and its importance so little appreciated, that districts are seldom willing to make any appropriations for the purpose.

In view of such practical difficulties as we have suggested, it is not deemed necessary or advisable, to submit plans for securing a perfect ventilation. I shall only present such modes of partially accomplishing the object, as can be applied and carried out in every district able to build a decent school-house.

In the first place, every school-room should have an opening in the highest part of the ceiling, at least two feet in diameter. The cover to this aperture, should be hung on hinges, and so arranged with a pulley, or otherwise, as to render it convenient to open and shut it. There should also be a lattice in the gable for the impure air to pass out, as it comes up in the attic from the school-room. This method is available at all seasons of the year; and in certain states of the air, it is of considerable service in a partial system of ventilation.

We have already suggested that the windows are designed for the introduction of light. Still they may be made to render essential service in ventilation, especially in that season of the year when the scholars require no artificial heat. In order to be most serviceable for this purpose, both sashes should be made to move, the one up the other down. It is sometimes more convenient to have an opening at the top of the window; at another time, at the bottom. But more frequently a better movement of the air can be secured by having both open at the same time. The reason of this is obvious: when the internal air is warmer than the external, it will come in at the bottom of the windows and pass out at the top; but if the external air is warmer than the internal a reversed action takes place. In some states of the atmosphere,

a very good ventilation may be secured in this way. Let it be regarded then as a necessary condition in the arrangement of the windows, that both sashes should be capable of being easily moved and conveniently fastened at any required distance.

[Here follow some diagrams which are omitted.—P.R.]

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The importance of having openings into the ventiducts at different elevations in the room, is obvious from the fact, that the impure air is very nearly equally distributed. The prevalent opinion that the impure air of the school-room always rises to the top, is not correct. It is true, that the hottest air ascends; but this may be the purest or most vitiated, depending on circumstances. It is found, however, by analyzing the air taken from different parts of the room, that after the room has been occupied some time, generally the impurities are distributed about equally in every part. The expired air contains four or five per cent. of carbonic acid. This acid is about once and half as heavy as pure air, from which fact alone it would seem that this gas must ascend to the floor; but it is a property common to æriform bodies, to diffuse themselves through each others masses. If a quantity of carbonic acid be placed in the bottom of a vessel, and a quantity of hydrogen gas, which is more than twenty times as light, be placed on the top, in a short time the two gases will be equally and uniformly mixed. This diffusion in the school-room is facilitated by certain other conditions. A large quantity of aqueous vapour is exhaled at every breath. This is considerably lighter than the atmosphere, so that the mixture of carbonic acid, oxygen, nitrogen, and vapour at the temperature at which it comes from the lungs, usually has a specific gravity less than the air; it consequently floats in the surrounding mass, and is carried to every part by the various currents in the room.

Carbonic acid is sometimes generated in deep pits, wells, mines and caves; and is so slowly diffused that a quantity constantly remains at the bottom. This apparent exception to the law of diffusion, is also found to exist in the school-room under certain conditions. For instance, in cold weather, when the air has been thoroughly carbonized during the day, and the room tightly closed at night, the next morning it is found that a large proportion of the carbonic acid is in the lower strata. This fact, however, does not invalidate the general statement, that the vitiated air is usually diffused about equally in every part of the room.

APPENDAGES.

In connection with every well-arranged and well-furnished school-room, there are several appurtenances, in addition to what we have already described.

As a part of the furniture, there should be a clock and thermometer; shovel, tongs, broom and ash pail; water bucket and dipper.

A library and apparatus, selected with special reference to the school in which it is to be used, may be of immense value to the scholars and parents in the district.

Perhaps it might be deemed appropriate in this connection, to describe somewhat in detail, the kind of apparatus and library, that would be most useful to schools of different grades; and also to point out the specific advantages which might be expected to result from the possession and use of the articles. But a large proportion of our District School Houses are badly contrived, and so wretchedly dilapidated, that to place in them a good library and a valuable apparatus, would be as doubtful policy as it would to put "new wine into old bottles."

When suitable places are provided for keeping and preserving libraries and apparatus, it will be in time then to discuss their importance. Good houses and competent Teachers are first in order.

PLANS.

I submit six different plans for School-houses as models to be imitated in building new ones,—and embracing nearly all the latest improvements in the internal arrangements of School-room.

[Here follow six Plans of School Houses which are omitted.]

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No. 20.

Report of the Visitor of District Schools for Queen's County, for the Half Year ending October, 1852.

THE present Report, extending over the above period, will not exhibit any very decided progress in education in that time within the bounds of this County: the following details will be found to embrace the result of my inspection of Schools, since the date of my last Return. At that period, the number of Schools in operation in this County, entitled by Law to the Public Grant, was 57, imparting instruction to a total of 2403 Pupils. I regret now to have to report a decrease of 5 Schools, and about 170 scholars. Of the number thus remaining in operation, I visited in the past Season 46, during the hours of instruction,—of the remaining six, the Teachers of three were absent by leave of the Trustees, and the other three have been reported to me as opened since my tour of inspection in the months of July and August. In all the above Schools the branches taught, and the proportion of children learning each Branch, may be classed as follows: Reading 2230; Writing and Arithmetic 1006; English Grammar 415, Geography 216; Book-keeping 120; Mensuration 16; and Trigonometry 11 scholars. With respect to School Apparatus, there are School Libraries, 1; Atlases 12; Large Maps (of the world) 8; Black-board 15

Further details of examination and remarks on the condition of each School examined, will be found in the respective School Register, periodically returned to your Board.

As regards the general efficiency of our Schools, and the nature and extent of the instruction acquired in them, every one must feel that there is still a wide field for exertion, to bring out any thing like the desired results, to realize what we mean when we speak of the blessings of Education.

Although Education in the whole has not advanced much during the past season, the interest in the cause is evidently deepening,—the range of studies too, in several Schools appears somewhat more extended, and several Branches taught in a more luminous and systematic manner. All this must speedily ameliorate to a sensible extent, the condition of District Schools. Many advantages too, are derivable from the greater uniformity of text books now in common use—advantages on which it is not necessary here to enlarge, notwithstanding under the present arrangement of our Schools—however skilled the

Teacher, we can but very partially bring the best "method of teaching" into operation, and as regards the complete classification of Teachers little can be done, while we have Schools insufficient in dimensions and appointments, and almost every thing about them, repelling and discouraging; for neither the influence of your Board, the zeal of the Visitor, the application of the children, nor the diligence of the Instructor can avail much unless suitable school accommodations be provided. No person can teach—no children learn, while crowded upon ricketty benches; and exposed to a current of air from every side of the building, with the thermometer below zero.

One great subject of trouble and hinderance to success, is the difficulty of amicably adjusting the boundaries of School Districts and determining the sites of School Houses;—there exists a desire for too much subdivision, thereby increasing unnecessarily the number of Schools, without augmenting their efficiency. I have remarked, in not a few instances, that the attendance of children who reside a distance is more regular than that of those who live near the School.

The closing of the Schools above referred to in the beginning of the past Summer, appears to me owing to this fact—that several Districts were in expectation of the near establishment of the Free School System, which is yet in abeyance; and as the term of their Teacher's engagements fell in, they suspended for the time, the renewal of their engagements while awaiting the final result of this measure.

In conclusion, I would beg to add, that despite of misapprehension and unfounded prejudice in some quarters on the subject of the Free Education System—the principle embodying the scheme of making the property of the country pay for the education of the children of the country, is the only one in my humble opinion, which will give increased life and vigour to the Schools. Under this system there would be no trouble or disputes about the years' subscription—the character of the Schools would be as much improved as the attendance of the pupils would be increased, and as the expense of education to individual parent would be diminished—but all this can only be effected by the different Settlements voluntarily assessing themselves in aid of the legal tax to supplement the Teachers' Salary—in building every where good and commodious School Houses—and in a word, by letting selfishness give place to philanthropy, then will Prince Edward Island soon have an educated, intelligent, and moral population, unsurpassed by that of any other country.

All which is respectfully submitted,

JOHN MCNEILL, Visitor, Q. C.

October, 1852.

Second Report of the Visitor of Schools for Queen's County for the Term ending February, 1853.

HAVING completed my second inspection of the Schools of this County, since my Returns were last laid before the Legislature, I am now enabled to report, that the number of District Schools in operation at this date, shews an increase of two over the number open in January, 1852, the total now being 59, attended by 2670 pupils, thus supplying the vacancies existing and reported to the Board in October last; but while the falling off previous to the last harvest season has been thus more than restored, many

School Stations occupied in former years are still vacant. An unusual stir, however, in behalf of Education has become apparent since the month of December last, and now, Teachers to supply these vacancies are eagerly sought for; while old School Houses are being repaired or enlarged, and new ones in course of erection, the Inhabitants of several Back Settlements, hitherto unprovided with the means of instruction, are at present actively engaged in preparing building materials, in the fond hope of seeing a School, with all its cheering and enlightening influences, arise in the woods—the scene of their toils, but the home of their affections; all this unwonted activity is occasioned by the intelligence of the passing of the Free Education Act, which in a few weeks hence is to be put in operation.

I subjoin a list of the vacant stations, in order that by the publicity given to this communication, the attention of unemployed Teachers may be attracted to these localities—these vacant Stations are

- | | |
|-------------------------------------|----------------------------------|
| 1 Park Corner, | 21 York River, |
| 2 Thirds Ponds (New London), | 22 Old Town Road (Lot 48), |
| 3 Mill River (South-side), | 23 Birch Hill (Lot 48), |
| 4 Saint Ann's or Fyfe's Ferry Road, | 24 Monaghan Settlement (Lot 48), |
| 5 Cavendish Road (Acadian), | 25 Pisquid Road, |
| 6 Rustico, | 26 Pisquid, |
| 7 Stanhope, | 27 Fort Augustus, |
| 8 Tracadie, | 28 Five Houses Settlement, |
| 9 Tracadie Road, | 29 Saint Andrews, |
| 10 Suffolk Settlement, | 30 Charlottetown Royalty, |
| 11 Covehead Road, | 31 Seal River, |
| 12 Union Road, | 32 Orwell, |
| 13 Brackley Point Road, | 33 Montague Settlement, |
| 14 Fredericton, near Bagnall's, | 34 Murray Harbour Road, |
| 15 Johnston's Road, | 35 Belfast, |
| 16 Lot 31, (rear of Crapaud), | 36 Pinette, |
| 17 Bonshaw, | 37 Culloden, |
| 18 Argyle or South Shore, | 38 Raasay, |
| 19 Elliott River (North-side), | 39 Rona. |
| 20 Long Creek, | |

Now excepting those localities above enumerated, 10, 15, 17, 24, 34, 37, 38, and 39, the residue of the stations in the foregoing list have formerly supported Schools, and many of them are very old School Districts; shewing that under the precarious and voluntary system now about to expire, scarcely two thirds of the Schools in this County have ever been opened together at any one time. Were these Thirty-nine Schools in addition to those now teaching put into operation, I believe I am warranted in stating from personal observation, that every child in this County would be within reach of a School: One hundred Schools would be amply sufficient, but not more than sufficient for the wants of its population.

Teachers occupying the different Stations, stand this year, with but few changes as in the Table furnished to the Board last year, to which I beg to refer you; the exceptions to that Table are given below as well as the Districts, which have changed Teachers as the Schools opened since last reported.

No.	STATIONS.	TEACHERS.	No. of PUPILS.	
			Present.	Total.
1	Wood Islands,	Archibald M'Donald,	16	42
2	Flat River,	John Beaton,	31	48
3	Point Prim,	Donald M'Lean,	35	40
4	Newtown,	P. B. Doyle,		
5	Murray Harbour Road,	William M'Phail,	39	57
6	Orwell Head,	Alexander M'Lean,		
7	Verdon River,	Archibald M'Neill,	8	20
8	Fullarton's Marsh,	Donald Currie,	38	43
9	South Shore, Lot 65,	Edmund Shea,		
10	De Sable,	John M'Lean,	30	48
11	Upper Westmoreland,	William Read,	31	42
12	Tryon Road, Lot 31,	Robert Barry,	51	70
13	New Cornwall,	Malcolm Darrach,	41	48
14	N. S. Wiltshire,	Charles Fowle,	20	34
15	Spring Field, Lot 67,	John Sinclair,	35	50
16	Ten Mile-house, St. Peter's Road,	Patrick M'Quade,	31	37
17	Little York,	George Douglas,	8	20
18	Winsloe Road,	James Douglas,	35	40
19	New Glasgow,	John M'Kay,	36	40
20	Graham's Road, New London,	Henry Lawson,	30	35
21	Johnston's Road	John M'Innis,	42	60

FEMALE.

22	Cherry Valley,	Miss Elizabeth Clow,	36	40
23	Lot 57,	" Janetta M'Phail,	22	29

For the sake of brevity, I restrict my remaining remarks to the following abridgment of the condition and main characteristics of the several Schools.

No. 1. (as above) The scholars here are fluent Readers and expert Arithmeticians, but their improvements in Writing is unsatisfactory. A limited number learning Grammar and Geography have made fair progress, the School House is a substantial frame one, and commodious, but not finished so as to insure comfort

No. 2. This School was left in excellent condition when vacated by the brother of the present Teacher last year. The present Master, although unexperienced, is zealous, and in the main, successful. A well-finished and convenient School House.

No. 3. Open but a few months after a long interregnum. In this District the children are remarkably emulous, and their parents eager to provide them with instruction. Several young men are commencing the study of Geometry and Navigation. The School House here is likewise well-finished and comfortable. The School House in the Eastern District of the Point, is also well conducted, and the building a credit to the settlement.

No. 4. I regret to have no report to offer on the state of this School. The Teacher having been absent at both my visits in August and January. The Trustees represented him to have unduly extended his leave of absence, and avowed their determination to dispense with his services. The Teacher is of long experience, and his ability unquestioned; it is therefore the more painful to have to record a neglect of duty.

No. 5. A most ably conducted School.

No. 6. This Station is occupied by the only Teacher of the Second or Highest Class in the County. Algebra and Navigation are taught in addition to the ordinary Branches. The School House is a new and very superior one.

No. 7. School taught in the present house but one month previous to my visit. The Teacher promises that his Scholars shall suffer no loss in their instruction, should his other avocations cause his occasional absence, as he has provided an Assistant; such a regulation, however, should at the outset have the understood sanction of your Board, so as to obviate future difficulties. I deem it my duty to add, that the School-room is contained in the building used as the private residence of the Teacher.

No. 8. This is a very interesting School, when visited, the numerous attendance of the children, the wide and varied range of their lessons, their intelligence and satisfactory progress, rendered the examination a truly delightful one. The School House requires enlargement.

No. 9. Not examined since the present Teacher succeeded to the charge.

No. 10. Lately licensed, but has all along taught with much acceptance.

No. 11. Doing well; a comfortable, well-finished School House.

No. 12. Present Teacher very lately succeed to the charge. Examined while Mr. J. Livingston was Teacher, who as such, gave high satisfaction.

13, 15, 16, 17, 18, 19. These Schools have been, with one exception, open but a few weeks, under the present Teachers. The abilities and experience of these Gentlemen are a sufficient guarantee for a successful discharge of duty in their new sphere.

No. 14. The blending of religious with secular instruction, renders this School a most useful and interesting one, and well worthy the support of the distinguished Society whose funds mainly contribute to its sustentation.

No. 20. This School also newly established, is efficiently conducted, and in point of discipline and judicious method and consequent improvement, is not surpassed by many older Schools. The School building, too, is a credit to the Settlement.

The Ladies' Schools in Charlottetown continue as formerly open under the Act, and are eminently entitled to public and private support, from the excellent education which they have imparted to so many pupils for several years. The closing of any one of them would be felt as a loss to the community; the same remarks may as justly apply to the District School of Charlottetown.

The residue of the District Schools, as reported from time to time, and now open, maintain respectively a very high character, and are seminaries which would be prized in any country.

It remains but to add, that better supplies of School Books than formerly are now seen every where, and greatly facilitating the improvement of the Pupils. Among these, Judge Peters' Manuel has been by the liberality of the Royal Agricultural Society, widely and gratuitously diffused among the Schools; and is much prized by Teachers. In every School, classes are daily examined on the text—and Scholars are encouraged to take the Book home for the perusal of the older Members of the Family—this may become the nucleus of a circulating or School Library—so much wanted throughout the Country.

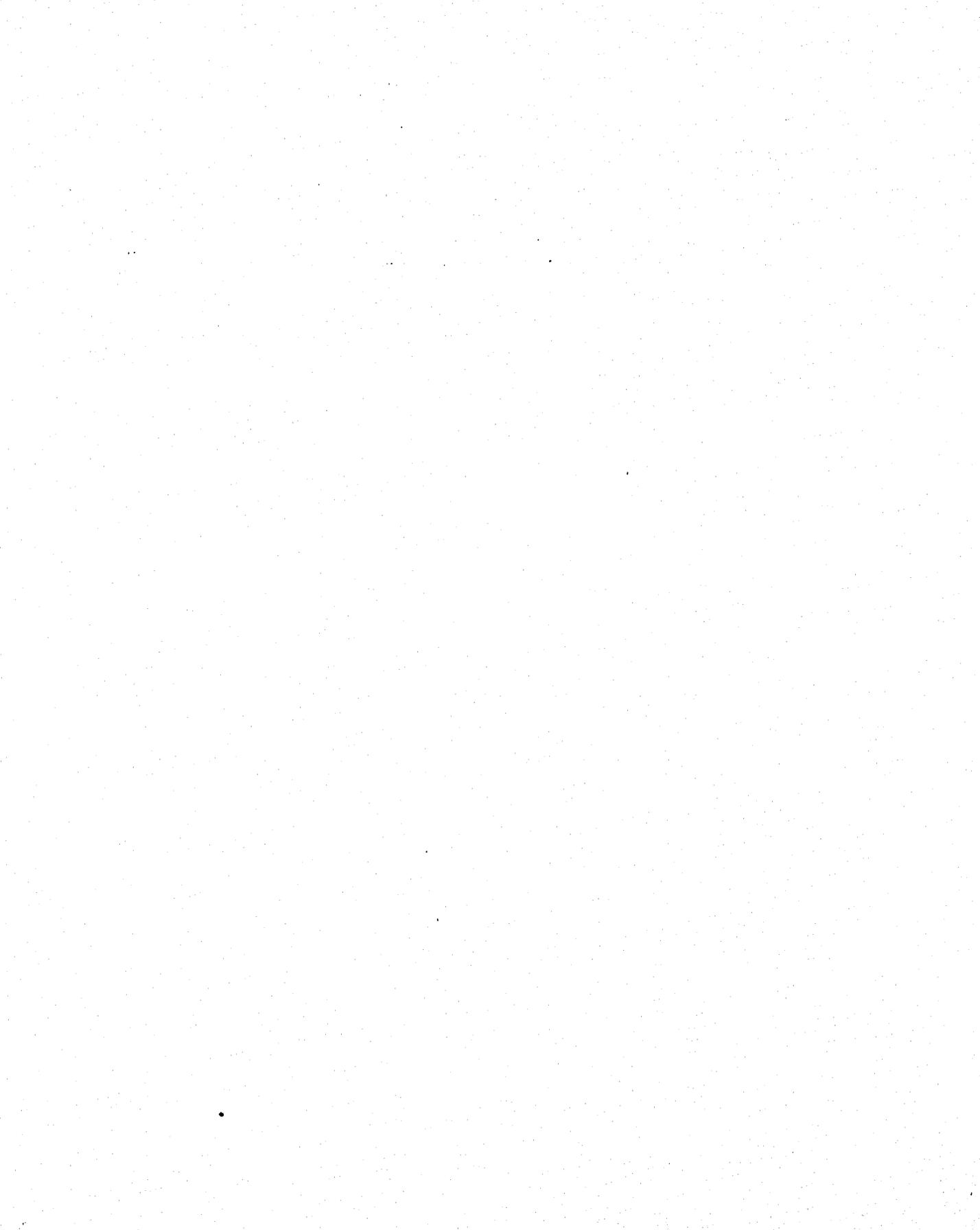
Such is a view of the present state of our Common School Education. The new or Free School System which is just about to supersede the old, will through its more enlarged means and wider scope, if faithfully carried out in all its agencies, accelerate the progress, and elevate the character of Public Instruction to a degree never yet witnessed—perhaps never hoped for, by the present generation.

JOHN MCNEILL, Visitor, Q. C.

To THE BOARD OF EDUCATION, February, 1853.

N. B. Five Schools (unlicensed), have been opened throughout the past year, but as more than twenty pupils are either attending each, or to be found in the Settlement, none of such can legally draw the allowance as Primary Schools.

J. M'N.



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11. Copy of a Letter from Joseph Henry, Esquire, Secretary to the Smithsonian Institute, dated 21st April, 1852.

Rules for the distribution of Smithsonian Contributions.

Copy of a Letter from the Earl of Elgin and Kincardine, dated 14th September, 1852.

Copy of a Letter from Sir Alexander Bannerman to the Earl of Elgin and Kincardine, dated 11th November, 1852.

Copy of a Letter from the Earl of Elgin and Kincardine to Sir Alexander Bannerman, dated 23th December, 1852.

Copy of a Letter from Sir Alexander Bannerman to the Earl of Elgin and Kincardine, dated 26th January, 1853.

12. Annual Report of the Trustees of the Lunatic Asylum and House of Industry.

13. Copy of Despatch, dated 13th October, 1851, transmitting a Proclamation relative to Wrecked Fishermen.

Copy of Despatch respecting the Convention of 1818.

Copy of Despatch, respecting rates at which Steamers can be supplied with Coal.

Copy of Despatch, transmitting Joint Address of the Council and Assembly, on the subject of the Treaty for regulating the Fisheries.

Copy of Despatch, relating to the Act of 6th Victoria, cap. 14, for the protection of the Fisheries.

Extract of a Despatch, dated February, 1852.

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16. Report of the Visitor of District Schools for King's County.

17. Extract from Despatch from Earl Grey to Sir Alexander Bannerman, in reference to the one-ninth Bill.

Copy of Despatch, from Sir Alexander Bannerman to Earl Grey, on same subject.

18. Joint Communication from the Members of the Executive Council, to Sir Alexander Bannerman on the subject of a further issue of Treasury Notes.

Copy of Despatch from Sir Alexander Bannerman to Earl Grey on the same subject.

19. Report of Visitor of Schools for Prince County.

20. Report of Visitor of Schools for Queen's County.

