





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

ANNO DECIMO TERTIO  
VICTORIÆ REGINÆ.

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FIRST SESSION OF THE EIGHTEENTH GENERAL ASSEMBLY.

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CHARLOTTETOWN :

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

1850.





BY HIS EXCELLENCY

**SIR DONALD CAMPBELL, BARONET,**

*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.*

DONALD CAMPBELL, Lieutenant Governor.

## A P R O C L A M A T I O N .

**W**HEREAS the General Assembly of this Island stands prorogued until Tuesday the Eighth day of January instant :

I have thought fit to dissolve the said General Assembly, and the same is hereby **DISSOLVED** accordingly.

And I do hereby give Notice to the Members for the several Electoral Districts and Towns and Royalties within the said Island, that they are discharged from further attendance in the said General Assembly.

And I do further declare that I have this day given Orders that Writs for calling a new General Assembly, be issued in due form, the said Writs to bear teste on Tuesday the Eighth day of January instant, and to be returnable on Friday the First day of March next.

*Given under my Hand and the Great Seal of this Island, at Charlottetown, in the said Island, this Seventh day of January, in the year of our Lord One thousand Eight hundred and Fifty, and in the Thirteenth year of Her Majesty's Reign.*

*By Command,*

T. H. HAVILAND, Colonial Secretary.

*God Save the Queen !!!*

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BY HIS EXCELLENCY

**SIR DONALD CAMPBELL, BARONET,**

*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.*

DONALD CAMPBELL, Lieutenant Governor.

## A P R O C L A M A T I O N .

**W**HEREAS the Writs for Electing Members to serve in the General Assembly for the several Districts and Towns and Royalties of this Island, are returnable on Friday the First day of March next :

I have thought fit further to Prorogue the said General Assembly, and the same is hereby prorogued until the Fifth day of March next, then to meet for the **DESPATCH OF BUSINESS**, of which all Persons concerned are required to take Notice and govern themselves accordingly.

*Given under my Hand and the Great Seal of this Island at Charlottetown, in the said Island, this Ninth day of February, in the year of our Lord One thousand Eight Hundred and Fifty, and in the Thirteenth year of Her Majesty's Reign.*

*By Command,*

T. H. HAVILAND, Colonial Secretary.

*God Save the Queen !!!*



**JOURNAL**  
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OF  
**PRINCE EDWARD ISLAND**

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**TUESDAY, 5th March, 1850.**

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

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Rice</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Swabey</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Hensley</i> .
Mr. <i>Young</i> .	§	

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 inform the House of Assembly, that it is His Excellency's pleasure, that they do attend him in the Council Chamber instanter, and the Members present having appeared at the Bar, the President of the Council addressed them as follows :—

Gentlemen—

I am commanded by His Excellency the Lieutenant Governor to acquaint you, that His Excellency does not intend to declare the cause of calling this General Assembly, until there be a Speaker of the House of Assembly ; and therefore, you, Gentlemen of the House of Assembly, are to repair to the place where the House of Assembly usually meet, and there proceed to the Election of a fit person to be your Speaker, whom you are to present to His Excellency here immediately, for His approval.

The Gentlemen of the House of Assembly then withdrew, and in a short time returned, when Alexander Rae, Esquire addressed His Excellency and stated, that agreeably to His Excellency's Command, the House of Assembly had proceeded to the Election of a Speaker, and that their choice had fallen upon him.

The *President* of the Council then replied,

Alexander Rae, Esquire—

I am commanded by His Excellency the Lieutenant Governor, to acquaint you, that he hath so good an opinion of your integrity, diligence and sufficiency for executing the important office to which you have been elected, that His Excellency is perfectly satisfied with the choice which the House of Assembly have made, and doth allow and confirm you to be their Speaker.

The Speaker then addressed His Excellency as follows :—

May it please your Excellency—

As you have been pleased to approve of the choice of the House of Assembly, in appointing me to be their Speaker, it now becomes my duty as such, to request of your Excellency, as the privilege of the House, that the Members thereof may be freed from arrest ; that they may have freedom of Speech in their Debates, and have free access to your Excellency on all occasions ; and I do in their name and behalf claim all their ancient rights and privileges.

Then the President of the Council replied in the following words :—

Mr. Speaker—

I am commanded by His Excellency the Lieutenant Governor to say, that His Excellency being fully assured of the prudence, loyalty, and good affection of the House of Assembly, most willingly grants them all their privileges, conformably to ancient usage, the Laws of the Land, and Her Majesty's instructions.

His Excellency was then 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 assembled you at the earliest possible period after the General Election, and I am confident that you will apply yourselves with zeal, and diligence, to the consideration of such measures as may tend to promote the welfare of the Colony.

I regret to announce to you the death of the Queen Dowager of England. The loss of that most excellent Princess has been deeply mourned by all classes of Her Majesty's Subjects, to whom her many eminent virtues rendered her the object of universal esteem and affection.



You will, I am sure, unite with me in gratefully acknowledging the goodness of Providence in averting from our shores that fatal disease which has ravaged so many countries, and in blessing with an abundant harvest the labors of the industrious husbandman.

The Imperial Parliament has passed an Act enabling Colonial Legislatures to regulate their internal Posts, and I am happy to think that we may now look for the establishment of a moderate and uniform rate of Postage throughout British North America.

The important change which has taken place in the Navigation Laws of Great Britain cannot fail to interest you deeply. Among other results from that change, I hope for a considerable increase in the demand for our Island Vessels—a trade in which I believe we can compete, on at least equal terms, with any British Colony.

Since the last Session, the removal of restrictions upon our commercial intercourse with the United States, has engaged my attention ; and from the unanimity of feeling which prevailed among the Members of the Executive of the different Provinces, who met at Halifax last Autumn, together with the desire of Her Majesty's Government to give effect to any well considered measures which may benefit these Colonies, I trust that our Commerce will receive its full share of the advantages which may be expected.

You are aware that Acts to authorize the reciprocal interchange of staple productions with this Island have been passed by the Legislatures of Nova Scotia, New Brunswick and Canada ; and I recommend for your consideration the propriety of responding to them with that spirit of liberality and kindly feeling which should characterize our relations with the sister Provinces.

I would also suggest for your consideration the expediency of an alteration in the Act for the recovery of Small Debts ; its present operation pressing heavily on the Public funds, which in many cases, are burdened with the maintenance of debtors confined in the Jails of the several Counties.

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

The Accounts for the past, and the Estimates for the current year, will be laid before you.

I feel confident of your readiness to provide for the due performance of the Public Service ; and you may be assured that the utmost economy will be observed by the Executive, in the expenditure of the Public Moneys intrusted to its disposal.

*Mr. President, and Honorable Gentlemen of the Legislative Council :*

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

You will perceive with satisfaction an improvement in the Revenue, which, though slight, may be taken as an indication that the productive resources of the Island are

beginning to recover from the state of depression under which they suffered. The increase in the registered tonnage of Shipping during the past year is also gratifying.

I have received replies to your Addresses to the Queen, which were intrusted to my care, and they shall be immediately laid before you.

I shall communicate with you, as usual, by Message, upon all matters of Public interest, which it may be necessary to submit for your consideration during the progress of the Session.

I now leave you to the discharge of your important duties, and as the prosperity of the Colony is my anxious desire, you may rely upon my cordial support and co-operation in all measures which have for their object the advancement of the true interests and happiness of the people of Prince Edward Island.

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. *Macdonald*, Mr. *Holl*, and Mr. *Hensley*, be a Committee to prepare a Draft pursuant to the above Resolution.

*Resolved*, That a Committee be appointed to revise the Journals of this House each day, and that it be the instruction to the Committee to require that a printed Copy be laid on the Table daily.

*Ordered*, That Mr. *Young*, Mr. *Swabey* and Mr. *Hensley* 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. *Holl* and Mr. *Young* 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. *Swabey* and Mr. *Birnie* do compose the said Committee.

*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 Session.

*Ordered*, That Patrick Furlong be appointed Doorkeeper to this House.

The Honorable Mr. Haviland, Colonial Secretary, informed the House that he was directed by His Excellency the Lieutenant Governor to lay before the House the following written Message, signed by His Excellency :

**DONALD CAMPBELL, Lieut. Governor.**

The Lieutenant Governor transmits to the Legislative Council, Copies of the Despatches referred to in his Speech at the opening of the present Session :

No. 1.—Copy of Despatch from Earl Grey, dated 26th November 1849, No. 91, in reply to an Address from the Legislative Council and House of Assembly to the Queen, suggesting the relaxation or suspension of the Treaty existing between the Imperial Government and the United States of America, regulating the Fisheries in the Waters surrounding this Island.

No. 2.—Copy of Despatch from Earl Grey, dated 27th December 1849, No. 93, on the subject of a Bill for the payment of the Civil Establishment of the Colony for the current year, and in reply to an Address from the late House of Assembly to the Queen proposing certain conditions on which that Body expressed its willingness to make permanent provision for the same object.

Government House, 5th March, 1850.

(*Vide Appendices Nos. 1 & 2.*)

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

Adjourned until to-morrow at half-past Ten o'clock.

**WEDNESDAY, 6th March, 1850.**

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Holl</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Hensley</i> .

PRAYERS.

There not being a Quorum—

Adjourned until to-morrow at Three o'clock.

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THURSDAY, 7th March, 1850.

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Birnie</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Haythorne</i> .
Mr. <i>Hensley</i> ,	§	

PRAYERS.

There not being a Quorum—

Adjourned until to-morrow at One o'clock.

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FRIDAY, 8th March, 1850.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Swabey</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Birnie</i> ,
Mr. <i>Young</i> .	§	Mr. <i>Haythorne</i> .
Mr. <i>Rice</i> ,	§	

PRAYERS.

Read the proceedings of Tuesday last.

Mr. *President* laid before the House the Public Accounts, as prepared and classified by the Auditors, for the year ending 31st January, 1850.

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

Mr. *President* laid before the House a Communication which he had received from the President of the Charlottetown Mechanics' Institute, acquainting him, for the information of this House, that " by a fundamental Rule of that Institution, the Members of the Legislature are admitted gratuitously to its meetings, which are held on the evening of every Wednesday, at eight o'clock."

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

Mr. *Dalrymple* laid before the House the Accounts of the Collector of Impost and Excise for Georgetown, for the year ending 31st December, 1849.

Also, an Account of Light Duty collected at Georgetown, for the same period.

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

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

On motion, *Ordered*, that the Report of the Committee be received and leave granted.

A Message from the House of Assembly, by Mr. Davies—

“ House of Assembly, Thursday, March 7, 1850.

“ Resolved, That a Committee be appointed on the part of this House, to join a Committee of the Legislative Council, to take charge of the Government House and Public Furniture.

“ *Ordered*, That Mr. Davies, Mr. Whelan, Mr. Jardine and Mr. Coles do compose the said Committee.

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

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

“ House of Assembly, Tuesday, March 5, 1850.

“ 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 Mr. Coles, Mr. Warburton, Mr. Jardine, Mr. Davies, Mr. Whelan, and the Hon. Mr. Palmer do compose the said Committee.

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

A Message from the House of Assembly by Mr. Lord—

“ House of Assembly, Tuesday, March 5, 1850.

“ Resolved, That a Committee be appointed on the part of this House, to join a Committee of the Legislative Council, to take charge of the Legislative Library.

“ *Ordered*, That Mr. Lord, Mr. Jardine, Mr. Davies, Mr. Pope, Mr. Warburton, and Mr. Coles do compose the said Committee.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Address in answer to His Excellency's Speech.—After some time the House was resumed and Mr. *Macdonald* reported, that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

On motion, Ordered, that the Report of the Committee be received, and leave granted.

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

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## SATURDAY, 9th March, 1850.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Rice</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Swabey</i> ,
Mr. <i>Young</i> ,	§	Mr. <i>Birnie</i> .

PRAYERS.

Read the proceedings of yesterday.

Mr. *President*, by command of His Excellency the Lieutenant Governor, laid before the House, the Report of the Commissioners for revising the Laws.

Also—

A bound specimen Copy of the First Volume of the Laws.

Ordered, That the same do lie on the Table.

(For Report, see Appendix No. 3)

*Resolved* That a Committee be appointed to join the Committee of the House of Assembly to take charge of the Government House and Public Furniture.

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

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

*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. *Holl*, Mr. *Young* and Mr. *Swabey* do compose the said Committee.

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

*Resolved*, That a Committee be appointed to join the Committee of the House of Assembly, to take charge of the Legislative Library.

*Ordered*, That Mr. *Dalrymple*, Mr. *Young* and Mr. *Swabey* do compose the said Committee.

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

Mr. *Young*, 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 the Island, to ascertain those which are about to expire during the present Session of the Legislature, beg leave to report as follows, viz :

That the Act of 2 Victoria, cap. 2, for further continuing an Act intituled " An Act to regulate the Fisheries of this Island," will expire at the end of the present Session.

That the Act of 2 Victoria, cap. 4, to revive and continue an Act for regulating the sale of the Interest of Leaseholders, when taken in execution, will expire at the end of the present Session.

That the Act of 2 Victoria, cap. 7, to revive and continue an Act therein mentioned relating to the shutting up of old Roads, will expire at the end of the present Session.

That the Act of 5 Victoria, cap. 17, to continue an Act to regulate the floating of Logs, Scantling, Deals and other kinds of Wood, down the Rivers and lesser Streams in this Island, will expire on the First day of May, 1850.

That the Act of 7 Victoria, cap. 24, to regulate the publishing of Notices and Advertisements relating to the Public Service, will expire at the end of the present Session.

That the Act of 9 Victoria, cap. 3, to consolidate and amend the several Acts relating to Dogs, and the taxation thereon, will expire at the end of the present Session.

That the Act of 9 Victoria, cap. 5, relating to Stray Cattle, will expire at the end of the present Session.

That the Act of 9 Victoria, cap. 9, to oblige husbands and other natural relations of indigent and impotent persons, unable to maintain themselves, to contribute to their support, will expire at the end of the present Session.

That the Act of 9 Victoria, cap. 22, to facilitate the intercourse between this Island and the Provinces of Nova Scotia and New Brunswick, will expire at the end of the present Session.

That the Act of 9 Victoria, cap. 27, to make provision for the regulation of Seamen shipped on board of any Ship or Vessel owned in, or belonging to Prince Edward Island, while such Ship or Vessel shall be within the precincts of the said Island, will expire on the First day of May, 1850.

That the Act of 9 Victoria, cap. 28, relative to accidents by Fire, and for the improvement of Property in Georgetown, and for the removal of Nuisances from the Streets and Squares thereof, will expire at the end of the present Session.

That the Act of 10 Victoria, cap. 2, to provide for the Summary Trial of Common Assaults and Batteries, will expire at the end of the present Session.

That the Act of 10 Victoria, cap. 14, to alter and amend an Act made and passed in the 6th 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," will expire at the end of the present Session.

That the Act of 10 Victoria, cap. 16, to revive, continue and add to the Act relating to the Charlottetown Market House, will expire on the Twenty-second of April 1850.

That the Act of 12 Victoria, cap. 10, for raising a Revenue, will expire on the 2d May, 1850.

That the Act of 12 Victoria, cap. 25, to provide for the payment of the Civil List, and to alter the appropriation of a certain sum of Money, raised by the present Land Assessment Act, will expire on the First day of April, 1850.

*Ordered*, That the Report of the Committee be received.

Adjourned until Monday next, at Twelve o'clock.

## MONDAY, 11th March, 1850.

The Council met pursuant to adjournment.

### P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Rice</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Birnie</i> ,
Mr. <i>Young</i> .	§	Mr. <i>Haythorne</i> .

PRAYERS.

Read the proceedings of Saturday.

Mr. *Dalrymple*, by leave, presented a Petition of Hugh Logan, Jailer, Georgetown, setting forth, that owing to the insecure state of the Fence, enclosing the Jail Yard, some years ago, two Prisoners made their escape, in consequence of which, Petitioner had to pay the sum of £47, being the debt for which one of them was confined—that in the Session of 1847 the Legislature granted him the sum of £20, still leaving a balance of £27, and praying the favorable consideration of this House.

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



On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Address in answer to His Excellency's Speech.—After some time the House was resumed and Mr. *Rice* reported, that the Committee had gone through the Address, and that they had agreed to the same without any amendment.

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

*To His Excellency Sir DONALD CAMPBELL, Baronet, 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 ;

We, the Members of Her Majesty's Legislative Council, in General Assembly convened, offer to your Excellency our respectful thanks for the Speech with which your Excellency opened the present Session of the Legislature.

We assure your Excellency, that we entertain an earnest purpose to deliberate upon such questions as may come under our consideration with a view to the public welfare.

We lament with your Excellency the death of the Queen Dowager of England, who, by her great and eminent virtues, so truly adorned the high and illustrious station she occupied.

We join with your Excellency in the expression of thankfulness to Almighty God, for His merciful goodness in preserving this Colony from the fearful disease which has been so fatal in many other Countries, and in blessing, with abundant returns, the labors of the industrious Husbandman.

We trust that the Act passed by the Imperial Government, to enable the Colonial Legislatures to regulate their internal Postage, will result in the establishment of moderate and uniform Rates of Postage throughout Her Majesty's Possessions in British North America.

The alteration which has been made in the Navigation Laws of Great Britain, must have an extensive influence upon the Commercial affairs of this Colony, and we hope that the benefits anticipated by your Excellency will be fully realized.

We consider the removal of restrictions upon our commercial intercourse with the United States, as matter deserving the earnest and favorable consideration of the Legislatures of these Provinces, and we trust, that under the wise and fostering superintendence of the Imperial Government, such measures will be taken as shall secure to this Island its fair share of the advantages which may justly be expected to ensue from a judicious arrangement of so important a negotiation.

We are happy to learn that Acts to authorize the reciprocal interchange of their staple productions, have been passed by the other Provinces. We hope to enter upon

the consideration of these Acts with the liberality and kindly feeling which your Excellency recommends.

We shall readily concur in such amendments of the Small Debts Act as may appear likely to remedy the evils pointed out in your Excellency's Speech.

The improvement in the Revenue, and the increase in the registered tonnage of Shipping, during the past year, as indications that the productive resources of the Island, are gradually recovering from the late state of depression, are highly gratifying.

When the Despatches alluded to by your Excellency are, in their due course, brought under the deliberation of this Branch of the Legislature, we shall be prepared to give them that attention which their importance may demand.

All other matters connected with the general welfare and interests of this Colony, shall receive our most respectful consideration.

We acknowledge, with great satisfaction and thankfulness, the assurance contained in your Excellency's Speech of your anxious desire to co-operate in all measures, which have for their object, the advancement of the true interests and happiness of the People of Prince Edward Island.

The said Address was then read a second time.

On motion, that the said Address be agreed to, the House divided :

C O N T E N T S :

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

N O N - C O N T E N T S :

Mr. *Dalrymple*,  
Mr. *Young*,  
Mr. *Birnie*,  
Mr. *Haythorne*.

And it passed in the affirmative

Mr. *Young* moved that the following Paragraph be added to the Address, after the word "demand," in folio 16, line 11, by way of amendment :

" We regret exceedingly, that your Excellency has not been empowered to announce, that the system of Responsible Government, in accordance with the British Constitution, graciously conceded by Her Majesty, to our fellow Colonists of Canada, Nova Scotia, and New Brunswick, has not been extended to the loyal People of this Island, Children of the same Nation, and Subjects of the same Crown."

The question being put thereon, the House divided—

## C O N T E N T S :

Mr. *Dalrymple*,  
Mr. *Young*,  
Mr. *Birnie*,  
Mr. *Haythorne*.

## N O N - C O N T E N T S :

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

And it passed in the negative.

*Ordered*, That the said Address be engrossed.

On motion, the said Address, as engrossed, was read a third time and passed.

On motion, *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 to-morrow, at half past Twelve o'clock.

Mr. *President* laid before the House a Letter which he had received, during the Recess, from the Honorable the Speaker of the Legislative Assembly of Canada, dated the 3d July, 1849, requesting aid in obtaining, for the Legislature of that Province, Copies of such Works, whether official publications or otherwise, as might prove desirable acquisitions, and could conveniently be sent, to supply the loss sustained by that Legislature, in consequence of the destruction of the two Libraries by a riotous assemblage on the 25th of April last—together with his reply to said Letter—as also a second Letter from the Speaker, dated 11th September, 1849, acknowledging the receipt of the President's Letter, which were read.

(*Vide Appendix No. 4.*)

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

*Ordered*, That Mr. *Young* have leave to absent himself until Friday next.

Adjourned until to-morrow at half-past Ten o'clock.

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TUESDAY, 12th March, 1850.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> , § Mr. <i>Dalrymple</i> , § Mr. <i>Holl</i> , § Mr. <i>Rice</i> , §	The Hon. Mr. <i>Hensley</i> , Mr. <i>Birnie</i> , Mr. <i>Haythorne</i> .
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Read the proceedings of yesterday.

At half-past Twelve o'clock, p. m., the House proceeded to Government House with their Address, in answer to His Excellency's Speech, 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 beg you to accept my thanks for your Address.

I rely with confidence upon your support and co-operation in all measures tending to promote the true interests and happiness of the people of this Colony.

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

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WEDNESDAY, 13th March, 1850.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Dalrymple</i> , § Mr. <i>Holl</i> , § Mr. <i>Rice</i> , §	The Hon. Mr. <i>Hensley</i> , Mr. <i>Birnie</i> , Mr. <i>Haythorne</i> .
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PRAYERS.

Read the proceedings of yesterday.

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The Honorable Mr. Haviland, Colonial Secretary, informed the House that he was directed by His Excellency the Lieutenant Governor to lay before the House the following written Message, signed by His Excellency :

**DONALD CAMPBELL, Lieut. Governor.**

The Lieutenant Governor transmits to the Legislative Council, Copies of the following Orders of the Queen in Council, and Despatch from Earl Grey :

No. 1. Order of the Queen in Council, dated 30th July, 1849, leaving to its operation, an Act to repeal and alter certain parts of the Emigrant Act, passed in the last Session of the Colonial Legislature.

No. 2. Order of the Queen in Council, dated 5th September, 1849, leaving to their operation Twenty-two Acts, therein named, passed in the last Session of the Colonial Legislature.

No. 3. Order of the Queen in Council, dated 6th October, 1849, specially confirming Two Acts therein named, passed in the last Session of the Colonial Legislature.

No. 4. Order of the Queen in Council, dated 6th October, 1849, leaving to their operation Nine Acts therein named, passed in the last Session of the Colonial Legislature.

No. 5. Despatch from Earl Grey, dated 10th October, 1849, with reference to the Act for the improvement of the Practice of the Court of Chancery.

No. 6. Order of the Queen in Council, dated 8th January, 1850, specially confirming an Act to provide for the payment of the Civil List, and to alter the appropriation of a certain sum of Money raised by the present Land Assessment Act.

Government House, 12th March, 1850.

*(Vide Appendices Nos. 5 to 10.)*

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

Adjourned until to-morrow at One o'clock.

## THURSDAY, 14th March, 1850.

The Council met pursuant to adjournment.

### P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Dalrymple</i> ,	§	The Hon. Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Birnie</i> ,
Mr. <i>Young</i> ,	§	Mr. <i>Haythorne</i> .
Mr. <i>Rice</i> ,	§	

### PRAYERS.

Read the proceedings of yesterday.

Mr. *President* laid before the House the Accounts of the Collector of Impost and Excise for Charlottetown, for the year ending 31st December, 1849.

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

The Honorable Mr. Haviland, Colonial Secretary, informed the House, that he was directed by His Excellency the Lieutenant Governor, to lay before the House the following written Message signed by His Excellency :

**DONALD CAMPBELL**, Lieut. Governor.

The Lieutenant Governor takes the earliest opportunity of communicating to the Legislative Council, an Extract from a Confidential Despatch from Earl Grey, received by him yesterday evening.

Government House, 14th March, 1850.

(*Vide Appendix No. 11.*)

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

Adjourned until to-morrow at One o'clock.

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**FRIDAY, 15th March, 1850.**

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Young</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Birnie</i> ,

PRAYERS.

Read the proceedings of yesterday.

Mr. *President* laid before the House, the Treasurer's Accounts with the Government, for the year ending 31st January, 1850.

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

Mr. *Holl* laid before the House an Account of Light Duty collected at the Outport of Cascumpec, for the year ending 5th January, 1850.

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

Adjourned until Monday next, at One o'clock.

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**MONDAY, 18th March, 1850.**

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Dalrymple</i> ,	§	The Hon. Mr. <i>Swabey</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Hensley</i> ,
Mr. <i>Young</i> ,	§	Mr. <i>Birnie</i> ,
Mr. <i>Rice</i> ,	§	Mr. <i>Haythorne</i> .

PRAYERS.

Read the proceedings of Friday last.

Mr. *President*, by command of His Excellency the Lieutenant Governor, laid before the House a Copy of the Blue Book for the year 1848, and a Copy of the Warrant Book for the past year.

Also—the following Acts passed by the Imperial Parliament in the Session of 1849, viz :

An Act to amend the Laws in force for the encouragement of British Shipping and Navigation.

An Act for regulating the carriage of Passengers in Merchant Vessels.

An Act for enabling Colonial Legislatures to establish Inland Posts.

And also—An Order of Her Majesty in Council, dated at Osborne House, Isle of Wight, the 6th October, 1849, in reference to the Act for regulating the carriage of Passengers in Merchant Vessels.

(For Order in Council, see Appendix No. 13)

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

Mr. *Holl*, [by leave, presented a Petition of Martin Halloran of Township Number Sixty-six, praying that this House will sanction the grant of a sum of Money, to remunerate him for the maintenance and support of Ellen Dunphy, a destitute orphan girl.

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

Adjourned until to-morrow at One o'clock.

## TUESDAY, 19th March, 1850.

The Council met pursuant to adjournment.

### P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Swabey</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Birnie</i> ,
Mr. <i>Young</i> ,	§	Mr. <i>Haythorne</i> .
Mr. <i>Rice</i> ,	§	

PRAYERS.

Read the proceedings of yesterday.

Adjourned until to-morrow at One o'clock.



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## WEDNESDAY, 20th March, 1850.

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Dalrymple</i> ,	§	The Hon. Mr. <i>Swabey</i> ,
Mr. <i>Young</i> .	§	Mr. <i>Birnie</i> .

PRAYERS.

There not being a Quorum—

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

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## THURSDAY, 21st March, 1850.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Swabey</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Birnie</i> ,
Mr. <i>Young</i> ,	§	

PRAYERS.

Mr. *President* laid before the House, the Account of the Collector of Impost and Excise for the District of Cascumpec, for the year ended 31st December, 1849.

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

Mr. *President*, by command of His Excellency the Lieutenant Governor, laid before the House, Copy of a Despatch, received by His Excellency from Earl Grey, dated 18th February, 1850, in reference to an Address of the House of Assembly, to the Queen, praying that the privileges of Free Ports may be extended to certain Harbors of this Island.

(*Vide Appendix No. 14.*)

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

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

A Petition of Ewen Macleod and others, inhabitants of Township Number Fifty, praying that this House will give effect to any Vote of the House of Assembly, toward the improvement of a Road in Uigg Settlement.

A Petition of Mary Kelly, of Charlottetown, Widow, in destitute circumstances, with four children, two of whom are imbecile, and entirely helpless, praying that this House will sanction any grant which may be made by the House of Assembly in her behalf.

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

Adjourned until to-morrow at Eleven o'clock.

FRIDAY, 22d March, 1850.

The Council met pursuant to adjournment.

P R E S E N T :

The Hon. Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Swabey</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Birnie</i> ,
Mr. <i>Young</i> ,	§	Mr. <i>Haythorne</i> .
Mr. <i>Rice</i> ,	§	

PRAYERS.

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 divers inhabitants of Township Number Four, praying that this House will concur with the House of Assembly, in granting a sum of Money in aid of the Road leading from Cascumpec Village to Tignish.

A Petition of divers inhabitants of Townships Numbers Four and Five, praying that this House will sanction the grant of a sum of Money in aid of the Road leading from Louis Ferry towards the Dock Settlement.

A Petition of Thomas Large, of Township Number Eleven, Ferryman, praying the concurrence of this House in any Vote that may be made by the House of Assembly, to remunerate him for conveying the Postman across the said Ferry for the last two years.

*Ordered*, That the several foregoing Petitions do lie on the Table.

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

A Petition of divers Inhabitants of this Island, setting forth, that within the last Twelve years, great loss and damage have been sustained by Owners and Underwriters of Property, and many valuable lives lost, owing to the want of a Light House at the entrance of the Harbor of Three Rivers, and praying that this House will concur with the House of Assembly in granting a sum of Money towards the erection of a Lighthouse there.

A Petition of Walter Phelan, of Charlottetown, Teacher, praying that this House will concur with the House of Assembly, in the grant of a sum of Money, as a remuneration for teaching a large number of Children whose Parents are in poor and indigent circumstances.

A Petition of Donald M'Pherson and Ann M'Pherson of Township Number Eight, an aged and infirm couple, the former being Ninety-six years of age, and the latter—Seventy-five; and praying relief.

*Ordered*, That the several foregoing Petitions do lie on the Table.

Mr. *Holt*, by leave, presented a Petition of Daniel Keho, of York River, suggesting certain improvements in Bridgemaking generally, but particularly in reference to Popular Island Bridge.

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

Mr. *President*, by command of His Excellency the Lieutenant Governor, laid before the House, Copies of the following Despatches and Documents, viz :

Copy of a Despatch from Earl Grey, to His Excellency, dated 20th February, 1850, in reference to the Imperial Act of 12 & 13 Victoria, cap. 66, for enabling Colonial Legislatures to constitute Inland Posts; with Copy of a Report of a Committee of the Executive Council of Canada, on the management of the Post Office Department.

Copy of an Act passed by the Legislature of Canada, on the 30th May, 1849, to make provision for the management of the Post Office Department.

Copy of a Report of the Deputy Postmaster General of this Island, on the same subject.

Copy of Despatch from the Governor General, to His Excellency Sir Donald Campbell, Baronet, dated 21st February, 1850, with Copy of a Minute of the Executive Council of that Province, on the subject of Reciprocal Free Trade, between the British North American Colonies.

Copy of Despatch from the Lieutenant Governor of New Brunswick, to His Excellency Sir Donald, Campbell Baronet, dated 6th March, 1850, with Copy of a Minute of the Executive Council of that Province, as also Copy of a Bill before the House of Assembly of New Brunswick, relating to the Trade between the British North American Possessions.

(*Vide Appendices Nos. 15 & 16.*)

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

Mr. *President*, by command of His Excellency the Lieutenant Governor, also laid before the House, Copy of the Estimates for the services of the current year.

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

Adjourned until to-morrow at Eleven o'clock.

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## SATURDAY, 23d March, 1850.

The Council met pursuant to adjournment.

P R E S E N T :

The Honorable Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Swabey</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Birnie</i> ,
Mr. <i>Young</i> ,	§	Mr. <i>Haythorne</i> .
Mr. <i>Rice</i> ,	§	

PRAYERS.

Read the proceedings of yesterday.

Mr. *Dalrymple*, by leave, presented a Petition of Andrew Doyle, of Charlottetown, praying that this House will sanction the grant of Four Pounds, in consideration of his having, last autumn, removed a Vessel, then lying at Pownal Street Wharf, with the Small Pox on board, to the Quarantine ground.

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

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

A Bill intituled "An Act to provide for the payment of the Civil List, on certain conditions therein mentioned."

A Bill intituled "An Act to continue several Acts therein mentioned."

Read the said Bills a first time.

Read a second time, the Bill intituled "An Act to continue several Acts therein mentioned."

Adjourned until Monday next, at Two o'clock.

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MONDAY, 25th March, 1850.

The Council met pursuant to adjournment.

P R E S E N T :

The Hon. Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Swabey</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Birnie</i> ,
Mr. <i>Young</i> ,	§	Mr. <i>Haythorne</i> .

PRAYERS.

Read the proceedings of Saturday.

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

A Petition of divers inhabitants of Township Number Nineteen, praying that this House will sanction the grant of a sum of Money in aid of Individual Subscription, for building a Wharf at Richmond Bay.

A Petition of divers settlers on Township Number Thirty-two praying that this House will give effect to any Money vote of the House of Assembly, in aid of opening a new Line of Road, to communicate with the Bedeque Road.

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

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

A Petition of Peter Scott, of York River, praying that this House will concur with the House of Assembly, in granting the sum of £15, being the balance due him on his Contract for building Pownal Street Wharf.

A Petition of divers inhabitants of Grand River, Township Number Fourteen, praying that this House will give effect to any Vote of the House of Assembly, to open a new Line of Road, to communicate with the Main Road leading to the Western Road.

A Petition of divers inhabitants of Richmond Bay, praying that this House will concur in any vote of the House of Assembly, for the purpose of erecting a Wharf, at Richmond Cove, in Prince County.

*Ordered,* That the several foregoing Petitions do lie on the Table.

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

A Petition of Mary Cahill, setting forth that her husband has left her in destitute circumstances, with Nine Children, two of whom are cripples, and entirely helpless, and praying relief.

A Petition of divers Inhabitants of Townships Numbers Thirty-seven and Thirty-eight, and others, setting forth, that Mount Stewart Bridge is out of repair, and almost impassable, and praying that this House will give effect to any Money vote of the House of Assembly to repair said Bridge.

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

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, 1849, to 28th February, 1850.

(*Vide Appendix No. 17.*)

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

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

A Petition of divers inhabitants of Townships Numbers Forty-eight and Thirty-five, praying that this House will give effect to any grant of the House of Assembly of Money in aid of individual Subscription for building a Wharf on the South side of the Hillsborough River.

A Petition of divers inhabitants of Townships Numbers Forty-eight and Forty-nine, praying that this House will sanction the grant of a sum of Money to improve a new Line of Road leading from Township Forty-eight, to Pownal Bay, which at certain seasons, is almost impassable, owing to a large Swamp therein.

A Petition of Sebastian Davidson, of Cascumpee, Teacher, praying Government allowance for Three Months' teaching a School, the Subscribers to which, in consequence of the failure of their crops, had requested Petitioner to discontinue teaching, as they would be unable to pay him their respective amounts.

*Ordered,* That the several foregoing Petitions do lie on the Table.

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

A Petition of divers inhabitants of Richmond Bay, in Prince County, setting forth that a practice too generally prevails in that district, among many persons while engaged in the Herring Fishery, that of violating the sanctity of the Sabbath Day, by leaving out their nets, and otherwise employing themselves in the taking and landing of Fish on that day; and praying for a Legislative enactment, to suppress the violation complained of.

A Petition of divers inhabitants of Township Number Thirteen, in Prince County, praying that this House will sanction the grant of a sum of Money towards the completion of a Line of Road leading from the Main Road along the Richmond Bay, through to the Great Western Road.

*Ordered*, That the 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 to continue several Acts therein mentioned."—After some time the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and that they had agreed to the same without any amendment.

On motion, *Ordered*, that the Report of the Committee be agreed to.

On motion, 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.

Read a second time, the Bill intituled "An Act to provide for the payment of the Civil List, on certain conditions therein mentioned."

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. *Young* 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.

On motion, *Ordered*, that the Report of the Committee be agreed to.

*Ordered*, That Mr. *Holl*, Mr. *Young* and Mr. *Swabey* be a Committee to manage the said Conference, to meet in the Conference Room instantler.

A Message from the House of Assembly, by 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 to provide for the payment of the Civil List, on certain conditions therein mentioned,” and have appointed Mr. Coles, Mr. Warburton, Mr. Pope, Mr. Davies, Mr. Jardine, and 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, they reported, that they had complied with the instructions given them by this House.

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

“ Mr. President,

“ The House of Assembly desire a further Conference with the Legislative Council on the Bill, intituled “ An Act to provide for the payment of the Civil List, on certain conditions therein mentioned,” and have appointed the same Committee who managed the last 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 last 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.

Adjourned until to-morrow at Eleven o'clock.



## TUESDAY, 26th March, 1850.

The Council met pursuant to adjournment.

P R E S E N T :

The Hon. Mr. *Attorney General*, President ;

The Hon. Mr. <i>Macdonald</i> ,	§	The Hon. Mr. <i>Swabey</i> ,
Mr. <i>Dalrymple</i> ,	§	Mr. <i>Hensley</i> ,
Mr. <i>Holl</i> ,	§	Mr. <i>Birnie</i> ,
Mr. <i>Young</i> ,	§	Mr. <i>Haythorne</i> .

PRAYERS.

Read the proceedings of yesterday.

Mr. *President*, by leave, presented a Petition of divers residents of the Eastern section of King's County, praying that this House will give effect to any Vote of the House of Assembly, in aid of the erection of a Draw Bridge over Souris Ferry.

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

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

A Petition of divers inhabitants of Township Number Forty-eight praying that this House will sanction the grant of a sum of Money in aid of a Bridge over the Creek at Stewart's Saw Mill on that Township.

A Petition of divers Inhabitants of Townships Numbers Forty-eight and Forty-nine, complaining of the high rate of Ferriage over the Hillsborough River, and praying a reduction of the same ; also that Persons coming to Charlottetown on the Sabbath day, to attend Divine Service, may be ferried over free of any charge.

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

Mr. *Holl*, by leave, presented a Petition of divers inhabitants of Township Number Thirty, Crapaud, Tryon, and parts adjacent, complaining of the defective state of the Roads in that neighbourhood, and praying an extension of the New Wiltshire Road.

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

Mr. *Swabey*, by leave, presented a Petition of divers settlers on Township Number Thirty-three, praying that this House will give effect to any vote of the House of Assembly, towards the completion of the Wharf at Rustico.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill, intituled "An Act to provide for the payment of the Civil List, on certain conditions therein mentioned."—After some time the House was resumed, and Mr. *Young* reported, that the Committee had gone through the Bill, and that they had agreed to the same.

On motion, Ordered, that the Report of the Committee be agreed to.

On motion, 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. *Young*, by leave presented the following Petitions, and the same were severally received and read, viz :

A Petition of John Johnstone, of Rocky Point, Township Number Sixty-five, Ferryman, setting forth, that Petitioner has sustained a heavy loss, in consequence of a storm last Autumn, which drove his Boat from her mooring, whereby she became a total Wreck, and praying the favorable consideration of this House.

A Petition of divers inhabitants of Township Number Sixty-five, praying that this House will concur with the House of Assembly in granting a sum of Money in aid of the Road which divides the said Township from Township Number Thirty-one, commonly called Peter's Road.

A Petition of divers inhabitants of Townships Numbers Fifty-four and Fifty-five, Cardigan, Grand River, and Launching Place, praying that this House will sanction the grant of a sum of Money in aid of a Wharf at Cardigan River.

A Petition of divers inhabitants of Georgetown, praying that the Act preventing the running at large of Swine and Geese in Georgetown, may be repealed.

A Petition of John O'Neal, of Cardigan, in indigent circumstances, praying relief.

A Petition of Jennish Vertile, of Covehead, an aged and infirm person, in indigent circumstances, praying relief.

*Ordered*, That the several foregoing Petitions do lie on the Table.

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 Bill, viz :

An Act to continue several Acts therein mentioned.

The Speaker of the Assembly, then addressed His Excellency as followeth :

“MAY IT PLEASE YOUR EXCELLENCY;

“On behalf of Her Majesty's faithful Commons of Prince Edward Island, I have now to present a Bill, intituled “An Act to provide for the payment of the Civil List, on certain conditions therein mentioned,” to which I have humbly to request your Excellency's assent.”

To 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 :*

It has been intimated to me by the Speaker of the Assembly that it is the wish of the House to rise this day, alleging that under present circumstances they can do no further business.

The Journal of the Assembly informs me that the House has passed a series of Resolutions, from which it appears that it supposes I am fully authorized to put into immediate practice the principles of Responsible Government.

The Assembly is mistaken in this supposition. I have no such authority.

The Despatches from Her Majesty's Secretary of State for the Colonies, which have been laid before you since the commencement of the Session, point out that while his Lordship has not expressed any determination to advise Her Majesty to refuse the concession of Responsible Government, if it should appear that it is the real wish of the inhabitants of the Colony in general, certain permanent provisions and establishments must precede its adoption.

Her Majesty's Government feel it their duty not to assent to any terms which shall involve substantial injury to existing holders of Office. It is impossible to surrender the Crown Revenues unless the Salary of the Chief Justice be secured to him by permanent law, so long as he shall continue in office, and I am happy to understand, that on this point, an arrangement satisfactory to all parties has been agreed upon.

But there are also other Officers whose emoluments have been hitherto partly derived from Imperial funds, whose claims must form a necessary part of the compact. It is obvious that the claims of each individual to a continuance of the emoluments of his office, must be affected by the greater or less length of the period for which he may have held it, and by the circumstance of his having sacrificed any other advantage, profession or occupation, for the purpose of accepting it, or otherwise. The adjustment of these details has been left by Her Majesty's Government to my discretion.

After mature consideration, I have come to the conclusion that it is only necessary to make permanent provision for three of these gentlemen, in the event of their relinquishing their offices, namely, the Attorney General, the Colonial Secretary and Registrar of Deeds, and the Treasurer ; whose services extend over periods ranging from thirty-five to twenty-two years. I think that the whole charge to be borne by the Colonial Revenue for their pensions, need not exceed the sum of £600 currency, per annum.

Had the Assembly, instead of prematurely calling upon me to change the whole of the Executive Council, complied with these preliminary conditions, I should then have been enabled to report to Her Majesty's Government, that the obstacles which existed to the surrender of the Crown Revenues, being removed, the time had in my opinion arrived, when the control of the Revenues of the Crown should be transferred to the Colony; and further, to recommend that I should be authorized to take the necessary steps for the introduction of the system of Responsible Government into this Island.

The Assembly has however thought fit to pursue a different course, and has refused to grant the Supplies necessary for the Government of the Colony, abandoning also the discharge of its legislative duties at a time when matters of high importance, not only to this Island, but to the British North American Provinces generally, are before it. I sincerely regret this, because I fear that the Colony may suffer deep and lasting injury from these proceedings.

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 Twenty-fifth day of April next, and this General Assembly is accordingly prorogued until Thursday the Twenty-fifth day of April next, to be then here holden.

END OF THE FIRST SESSION.

# APPENDIX

TO

**THE JOURNAL**

OF THE

**LEGISLATIVE COUNCIL**

OF

PRINCE EDWARD ISLAND.

FOR THE SESSION COMMENCING THE FIFTH DAY OF MARCH, AND ENDING THE  
TWENTY-SIXTH DAY OF MARCH,

1850.



**APPENDIX TO THE JOURNAL**  
OF THE  
**LEGISLATIVE COUNCIL.**

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No. 1.

(COPY.)

No. 91.

DOWNING STREET,  
26th November, 1849.

Sir;

I have to acknowledge the receipt of your Despatch No. 27, of the 12th June, enclosing an Address to the Queen, from the Legislative Council and House of Assembly of Prince Edward Island, suggesting the relaxation or suspension of the Treaty existing between this Country and the United States of America, regulating the Fisheries in the Waters surrounding that Island.

I have to instruct you to acquaint the Members of the Council and Assembly, that I have laid this Address before the Queen, and 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.

I have, &c.  
(Signed) GREY.

Lieut. Governor  
Sir Donald Campbell, Bart.,  
&c. &c. &c.

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No. 2.

(COPY.)

No. 93.

DOWNING STREET,  
27th December, 1849.

SIR;

Her Majesty's Government have now had for some months under their serious consideration the subjects of your recent Despatches, No. 21, of 4th May last, enclosing a Bill to provide for the payment of the Civil Establishment of the current year, and an Address from the House of Assembly to the Queen, proposing certain conditions on which that Body expresses its

willingness to make permanent provision for the same object—No. 23, of 18th May, and No. 50, of 18th September, enclosing Memorials from several gentlemen whose official salaries are affected by the Bill.

2. Pending the further discussion of the great questions involved in that Address, I have advised Her Majesty to confirm this Act, and an Order in Council for that purpose will accordingly be transmitted to you on the first opportunity.

3. With respect to the Crown Revenues, Her Majesty's Government is prepared to surrender the revenues derived from the Spirit Duties, and sale of Crown Lands, and the Quit Rents when they revert to the Crown, to the controul of the Legislature, on the reservation, by permanent laws, of a Civil List, to ensure the due performance of certain public services.

4. As the salary of the Lieutenant Governor is at present discharged out of the Parliamentary vote, and I have no reason to suppose that Parliament is likely to withdraw that provision, Her Majesty's Government do not consider it necessary to place it as a part of the permanent charges to be borne upon the Civil List, if the Legislature is willing in other respects to provide adequately for the necessary services, and to preserve the interests of present holders of office to the extent which I shall presently point out.

5. There is, however, a sum of £130 which has hitherto been paid by the Imperial Government towards the Lieut. Governor's contingent expenses, and which is now discontinued from the estimate. Although I regret that the Legislature should, in their recent Act, have evinced no disposition to supply the loss of this sum, yet I do not consider that its retention ought to be made a condition of the compact between the Crown and the Assembly.

6. Prospectively therefore, and after vacancies in the offices now held by officers hitherto paid partly or wholly from Imperial funds, I do not consider it necessary that any items should be placed on the Civil List beyond those which are necessary for the administration of justice; of which the principal, and perhaps the only one, is the salary of the Chief Justice of the Island.

7. The amount of this proposed permanent Civil List, Her Majesty's Government are prepared to leave wholly to the discretion of the Legislature. They consider the question of the salary to be attached to any particular office under your Government, paid from Colonial funds, as one which belongs exclusively to that Body in the stage now reached by the community of Prince Edward Island.

8. My own opinion indeed, founded on observation of the progress of such rising communities, is that in many instances a very extensive reduction of Salaries is a false economy. Its tendency is to cause offices of importance to be filled by men incapable of performing their duties, and work ill executed is ultimately found

to be the most costly. But this is an opinion only, subject to modification according to the exigencies of times and circumstances, and one which I can have no wish to impose, contrary to their judgment, on the Legislature.

9. But Her Majesty's Government feel it their duty not to assent to any terms which shall involve substantial injury to existing holders of office. The case of the Chief Justice appears to them to be one in which they are bound to recognize a strong subsisting claim on the Crown Revenues; a claim which it is impossible in justice to disregard. That gentleman has been for more than twenty years in the public service: he states that he has recently surrendered £100 a year for the furtherance of a measure for the better administration of justice in the Island. And independently of these peculiar claims to consideration, he has for many years been maintained in the receipt of the present salary from Parliamentary sources, and has therefore had every reason, short of an actual pledge of the public faith, to expect its continuance. It is therefore impossible for Her Majesty's Government to surrender the Crown Revenues, unless the Chief Justice's present salary be secured to him by permanent law, so long as he shall continue in office, or unless some arrangement satisfactory to himself should be made respecting a retiring pension.

10. With respect to the other gentlemen whose emoluments have been hitherto partly derived from the Parliamentary vote, namely, the Attorney General, the Colonial Secretary and Registrar of Deeds, the Surveyor General, and the Prothonotary and Clerk of the Crown, I feel some difficulty in giving you positive directions as to the extent to which you are to consider their claims on the Crown Revenues, (that is, the claims of the existing holders of those offices) as forming a necessary part of the compact. It is obvious that the claims of each individual to a continuance of the present emoluments of his office, will be much affected by the greater or less length of the period for which he may have held it; and by the circumstance of his having sacrificed any other advantages, profession or occupation, for the purpose of accepting it, or otherwise.

11. A large part of their official emoluments appears also to be derived from other sources than the Parliamentary vote, and without a fuller knowledge of their respective cases than I possess, I can scarcely give you



positive directions respecting them. I must therefore leave the adjustment of details respecting them, in the Civil List compact, to your own discretion.

12. I must, however, except from these directions the salary of the Provost Marshal—that office being a sinecure, the maintenance of the salary cannot be properly made a term of the intended compact, in opposition to the wishes of the Assembly.

13. When these questions are settled, Her Majesty's Government will be prepared to surrender the Crown Revenue to the Colonial Legislature. Nor does it seem necessary that an arrangement made for this purpose, should be abandoned because the establishment of what is termed "Responsible Government" does not take place at the same time.

14. I propose for the present to advise Her Majesty to decline complying with the prayer of the Address of the Assembly of the 17th March last, that the system in question may be brought into immediate operation in Prince Edward Island. I retain the opinion, the grounds of which were fully expressed in my Despatch of 1st January last—namely, that the Colony has not yet reached that stage in its progress which renders it possible that such a scheme of Government can be advantageously established.

15. But even were this otherwise, it would evidently be premature for Her Majesty to pledge herself to sanction the various changes which its establishment would involve, until the Legislature should have considered the case of those officers whose position would be affected by it, and the provision which ought to be made for existing interests. It appears to me essential that the necessary arrangements for this purpose should be effected beforehand, and should not be left, after the pledge has been given and cannot be recalled, to chance, and to the opinions which may prevail in a Body so fluctuating as a popular Legislature. For with all confidence in the intentions of the present Assembly, it is impossible to anticipate, on such subjects, the views which may influence a new one.

16. On this point indeed the language of the Address is not perfectly clear to me. It states (in the terms of the Address of 1847) that owing to the limited resources of the Colony, and its inability to bear the expense of Pensions, the prayer of the House is, "That such a system of Departmental Government as would involve the resignation of the offices of Treasurer, Colonial

Secretary, Attorney General and Surveyor General, on their being left in a minority in the Executive Council, should not be extended to us, but that it should at all times be the duty of such public officers, if forming part of the Provincial Administration, to give a constitutional support to the measures of Government."

17. But the officers in question cannot be compelled to take part, as Councillors, in measures of which they and the party to which they may have hitherto attached themselves, disapprove. Such compulsion, besides its injustice, would be the certain way of impeding and neutralizing the measures themselves. I conclude therefore that it is meant that they should retain their offices, but cease to be members of the Executive Council. This, on the other hand, would deprive that Body of much of its efficiency, its utility to the Governor, and its title to public respect.

18. I cannot, therefore, think that the scheme, as now propounded, is ripe for adoption. In the meantime it appears to me, that Prince Edward Island, although without that which is now usually understood by the term Responsible Government, has practically enjoyed of late years all the advantages which that system is intended to secure. I would repeat what I stated to the Lieutenant Governor of Nova Scotia, at the outset of the arrangement for the change of Government in that Colony:—"It cannot be too distinctly acknowledged that it is neither possible nor desirable to carry on the Government of any of the British Provinces in North America in opposition to the opinion of the Inhabitants." The people of Prince Edward Island are entitled to this acknowledgment, as much as those of the other Provinces. The question is one of means only, not of the end. The Island is now governed by a Legislature, of which one Branch is freely elected by the great body of the People, and the Executive powers are placed in the hands of the Lieutenant Governor, who knows that he should conduct his Government in accordance with the principles above laid down, that is, in such manner as to meet, as far as possible, the wishes of the community.

19. The Lieutenant Governor is assisted also in the performance of his duties by gentlemen selected from those of the inhabitants of the Colony who were considered to be the most capable of performing with advantage to the public the duties of their several

offices; nor is there any objection to conferring these offices, as they fall vacant, on Members of the Assembly, though it seems desirable, in the present state of society, that those to whom a share in the Executive Government is thus entrusted, should cease to hold seats in the Legislature.

20. This system of Administration, honestly and faithfully carried into effect, must give to the Colony all the practical advantages of self-government, as completely as if it were required that the principal offices of the Executive Government should be held by Members of the Legislature possessing the confidence of the majority of the Assembly. Indeed I must observe, in passing, that the union of Executive duties with the character of a Member of the Legislature is not only not required, but is generally prohibited by the Constitutions of the States of the American Union, in which the principle of self-government is supposed to be carried to the utmost, and if the people of the Island

require security for the future, they could not find a stronger one than in the total absence of interest, as well as of any other motive, on the part of the Imperial Government, to render the administration of their affairs otherwise than acceptable to themselves. The connection between the Colony and the Parent State, is one which it is among the highest objects of Her Majesty's Government to maintain, but so far only as it is conducive to the mutual interest and mutual satisfaction of both. In the present state of political society, and with the free Institutions which now prevail in the Mother Country and Colony alike, mutual goodwill can constitute the only real tie between them.

I am, Sir,

Your most obedient Servant,

GREY.

Lieutenant Governor

Sir DONALD CAMPBELL, Bart.

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### No. 3.

*To His Excellency Sir DONALD CAMPBELL, Baronet, Lieutenant Governor, and Commander in Chief, in and over Her Majesty's Island Prince Edward, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY ;

WE, the Commissioners appointed by your Excellency, under and by virtue of an Act of the General Assembly of this Island, made and passed in the Eleventh year of the Reign of our Sovereign Lady Queen Victoria, intituled *An Act to provide for re-printing the Laws of this Island*, have to state (in addition to the Report already submitted by us to your Excellency in the month of February, 1849), that immediately after the close of the last Session of the General Assembly, and so soon as the Statutes passed therein were published, we again revised the whole body of the Laws, and made such Notes thereto as were rendered necessary by the alterations made therein, striking out all the

Laws, which, in conformity with the recommendations contained in our First Report, had been repealed, or consolidated during the Session. We find that a defect exists in the Acts now in force for the relief of Insolvent Debtors. The Second and Third Sections of 7 Vic. cap. 3, on that subject were repealed by 11 Vic. cap. 27, but the references in the subsequent parts of the former Act, to the Sections so repealed, were not amended so as to assist the provisions of 11 Vic. cap. 27, and are thus rendered, to a certain extent, inoperative.— We recommend therefore, that 7 Vic. cap. 3, and 11 Vic. cap. 27, being Acts for the relief of Insolvent Debtors, should be repealed, and their provisions re-enacted in one Statute. We have accordingly drafted an Act for that purpose, which will be submitted to the consideration of the Legislature. We shall also submit the Draft of an Act consolidating the provisions of the Road Compensation Acts. Thus in one Chapter will be contained the provisions of the following Act being Nine (9) in number:

- 10 George 4, cap. 10.
- 3 William 4, cap. 9.
- 4 William 4, cap. 16.
- 5 William 4, 1st Session, cap. 8.
- 1 Victoria, cap. 16.
- 5 Victoria, cap. 22.
- 6 Victoria, cap. 22.
- 8 Victoria, cap. 5.
- 11 Victoria, cap. 33.

It was originally proposed that this Act should have been passed during the last Session of the Legislature, but so many other Statutes required attention that it was found impossible to do so. The Act on this latter subject was drafted by the Law Clerk to the late House of Assembly, under the directions of that House.

In printing the new edition of the Statutes we have omitted all but the titles of the Acts above recommended for consolidation, and have left blanks in the margin to them for marginal notes, which the Contractor has undertaken to print in, so soon as said consolidating Acts are passed. We were of opinion that it would be incurring a useless expense, to reprint Acts, which we knew would be consolidated and repealed. We beg leave, therefore, respectfully to recommend, that in order to facilitate the reprint, and to enable us to issue the first Volume immediately, the above Acts, consolidating the Road Compensation Acts, and the Acts for the Relief of Insolvent Debtors should receive the early attention of the Legislature.

We have lodged in the offices of the Deputy Prothonotary in King's and Prince Counties, of the Prothonotary and Registrar of Deeds in Queen's County, full Copies of the last edition of the Statutes down to the end of the Acts passed during the last Session of the Legislature, duly signed and certified by us, according to the directions of 12 Vic. cap. 23, and we have, in accordance with the powers given us by said Act, omitted in the new edition, all those Acts relating to titles to Land, which have expired, been executed, or repealed, but which, under the original Act for reprinting the Laws, we were required to reprint. Thus the size of the Volume has been materially decreased.

As regards the progress which has been made in printing the new edition of the Laws, we have to report, that one Volume has been completed, and two copies thereof have been bound up for the use of the Legislature. When the Contract for printing the Laws

was entered into, it was only provided that one general Index at the end of the Second Volume should be compiled and printed. We think, however, that it would be advisable to prepare and print a separate Index to each Volume, the more especially, as, of necessity, the First Volume, already printed, will be in the hands of the Public some time before the Second can be finished, and if left without an Index will be very incomplete.—Should our views on this subject, meet with the approbation of the Legislature, we will immediately prepare the Index to the First Volume, and then all the other copies can be bound up with the Index, and be ready for delivery within a short period.

We have paid particular attention to the execution of the Work, and have corrected the errors of the Press.

The First Volume contains 824 pages, and embraces all the Statutes now in force, down to the year 1844, 7 Vic. cap. 32, inclusive. Thus, the Acts which in the old edition occupied 1844 pages, now extend over 824, a reduction of 1020 pages.

We can now, with an approach to certainty, state what will be the total expense of reprinting the Laws. On account of the omission of obsolete Statutes under the powers given us by 12 Vic. cap. 23, the amount will be much less than we estimated it at in our former Report.—We think, that the Second Volume, together with the Index to the First, and general Index to the Second Volume, will occupy 976 pages.

In our former Report, we made the following estimate:

2100 pages at 56s. per Sheet of	
8 pages, (price as per Contract,)	£736 8 0
Binding 200 Copies, (which we considered sufficient to meet the immediate demand) and gathering, folding and pressing the remainder, ready for binding, when required,	- 110 0 0
	<hr style="width: 100%; border: 0.5px solid black;"/>
	£846 8 0
	<hr style="width: 100%; border: 0.5px solid black;"/>

Making immediate Cost £846 8s.

This calculation included only the Acts expected to be passed during the last Session of the Legislature.—But we have been enabled so materially to decrease the size of the Work, that the following estimate, which, in addition, comprehends Acts expected to be passed

during the present Session, shews a decrease in the expense in favor of the Public.

PRESENT ESTIMATE :	
1800 pages, at 50s. per Sheet of	
8 pages (price as per Contract)	£630 0 0
Binding 200 Copies (as above) and pressing folding and gathering the remainder ready for binding,	110 0 0
	£740 0 0
	£740 0 0

Being £106 8s. less than our former Estimate.

Of this amount £280 has been paid, leaving £460 yet to be provided for. Should the Legislature immediately pass the Acts above recommended for consolidation, we shall be enabled at once to proceed to the completion of the remainder of the Work. In such case, we think that another annual item of expense for printing may be saved, that is to say, as the Session Laws are always

published by authority in the Royal Gazette Newspaper, copies of which might be forwarded to all the Magistrates and Public Officers, it would be unnecessary, further to print them in their usual Pamphlet form, as they will be printed in the new edition of the Laws, which will be ready, we anticipate in or about September next. The amount of expense, thus saved, would be about £70, which added to former amount of £106 8s., saved by omission of Acts, under authority of 12 Vic. cap. 23, &c., will, together, make a difference in favor of the Government of £176 8s. All which matters we most humbly submit to your Excellency's consideration.

R. HODGSON,  
Jno. LONGWORTH,  
JOSEPH HENSLEY,  
Commissioners.

9th March, 1850.

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No. 4.

MONTREAL, CANADA, July 3, 1849.

Sir ;

You have doubtless been informed through the ordinary channels of intelligence, of the disastrous loss, which the Legislature and People of this Province have sustained, in the total destruction, by fire, of the Buildings in which the Sittings of the Provincial Parliament are held, by a riotous assemblage, on the 25th of April last.

Of the many deplorable consequences which have resulted from this outrage, the entire destruction of the valuable Libraries attached to the two Houses of the Legislature, and which contained in all about 25,000 volumes, may be reckoned as among the greatest. In this instance, especially, the loss has fallen, not merely upon the Parliament itself, but generally upon the people of the Province, who by the liberality of the Members of both Houses, are permitted access to the Books, in default of other opportunities for literary gratification

and research, there being no other Libraries in Canada, of any magnitude, to which the public are admitted.

In the Session of Parliament which has just terminated, a general anxiety was manifested among Members that efforts should be made to replace the Collection, as soon as practicable. The existing state of the Provincial finances, however, not warranting, for the present, any considerable out-lay on this behalf, our efforts for the re-construction of the Library, are unavoidably postponed until another year, when it is in contemplation to establish one joint Library, for both Houses of the Legislature, to which, there is no doubt, the Public will be as freely admitted as heretofore.

Meanwhile, as it has been thought that much sympathy could be felt by our fellow-subjects in the sister Colonies, and in the United Kingdom, for the calamitous event which has occasioned so serious a deprivation to the People of Canada, I have been empowered by the Legislative Assembly to communicate officially with the principal Representative Bodies in America and Eng-

land, acquainting them of the extent of our loss, and soliciting their generous assistance in our endeavours to replace the Library, by sending us copies of such Legislative Journals, Statutes, or other printed documents, as could be spared, to be deposited therein.

I shall therefore esteem it a great favor if you will kindly aid our undertaking by obtaining for us a Copy of such Works, whether official publications or otherwise, as you might think would prove desirable acquisitions, and could conveniently send. In so doing you would be conferring a favor upon the Canadian public, which it would at all times afford them the highest gratification to reciprocate. Any expense connected with this, we would, of course, cheerfully defray, and should, at the same time, remain largely your debtors, for any such friendly donations.

I have the honor to subscribe myself,

Sir, with the highest consideration,

Your most obedient,

Humble Servant,

A. N. MORIN,

Speaker L. A.

To the Honorable

The Speaker of the Legislative Council,  
Prince Edward Island.

CHARLOTTETOWN,

Prince Edward Island, 16th July, 1849.

Sir ;

I have the honor to acknowledge the receipt of your Letter of the 3d instant, requesting me to aid in obtaining for the Legislature of Canada, copies of such works—whether Official Publications or otherwise, as may prove desirable acquisitions, in assisting to supply the loss which the Legislature and People of Canada have sustained from the destruction of the Libraries attached to the two Houses of the Legislature, by a riotous assemblage on the 25th April last, and whilst expressing my detestation of the crime and deploring its consequences, I beg to assure you of my readiness to aid in the praiseworthy efforts now being made by the Canadian Parliament to replace the collection destroyed; and I feel justified in asserting that the Legislative Council

of this Island, will be found most willing to contribute in the way you desire; but that Body, not being now in Session, I do not feel warranted in taking any steps in the matter, until I shall have an opportunity of laying your Letter before it, which opportunity in all probability will not occur until February next, being the period when the Legislature of this Colony is usually assembled in Session, and when it will afford me great gratification to further the objects of the Canadian Parliament by every means in my power. With the highest respect and consideration,

I have the honor to be,

Sir,

Your most obedient,

Humble Servant,

R. HODGSON,

President of the Legislative Council  
of P. E. Island.

To the Honorable

A. N. Morin, Speaker of the  
Legislative Assembly of Canada.

MONTREAL, CANADA,

11th September, 1849.

Sir;

I beg to acknowledge the receipt of your favor of the 16th July, in which you kindly express your readiness to assist us by every means in your power, in an effort to replace the Libraries we have lost by an act of lawless violence, and to express my deep sense of the sympathy you have expressed on our behalf, and my grateful acknowledgments for the assistance you have so courteously promised us, upon the ensuing Meeting of your local Legislature.

I have the honor to be,

Sir,

Your obliged & obedient Servant,

A. N. MORIN,

Speaker L. A. Canada.

The Honorable

R. Hodgson, President of the  
Leg. Council, P. E. Island.

## No. 5.

At the Court at Osborne House, Isle of Wight,  
30th July, 1849.

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord President,	Sir John Hobhouse, Bart.,
Lord Privy Seal,	Sir George Grey, Bart.,
Lord Steward,	Sir Francis Barring, Bart.,
Lord John Russell,	Mr. Chancellor of the Ex-
Viscount Palmerston,	chequer.

**W**HEREAS 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 May, 1849, pass an Act, which has been transmitted, entitled as follows, viz.:—

No. 782.—“ An Act to repeal and alter certain parts of the Emigrant Act.”

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 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. 6.

At the Court at Balmoral,  
the 5th day of September, 1849.

[L. S.]

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS PRINCE ALBERT.

Earl of Aberdeen,  
Lord John Russell,  
Mr. Fox Maule.

**W**HEREAS 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 May, 1849, pass Twenty-two Acts, which have been transmitted, intituled as follows, viz.:—

No. 756.—“ An Act relating to the Limits and Rules of Jails in this Island.”

No. 757.—“ An Act relating to Judgments recovered in the Supreme Court of this Island, and to amend an Act therein mentioned.”

No. 759.—“ An Act for improving the Law of Evidence.”

No. 760.—“ An Act for rendering a Release as effectual for the Conveyance of Freehold Estates, as a Lease and Release by the same parties.”

No. 761.—“ An Act to prevent the constructive revival of Statutes heretofore repealed.”

No. 762.—An Act to explain and amend the present Act for the Assessment of Land, and the encouragement of Education.”

No. 763.—“ An Act for the better preventing Accidents by Fire within Charlottetown.”

No. 764.—“ An Act to consolidate, amend, and reduce into one Act, all the Acts of the General Assembly of this Island relating to the Establishment of Terms of the Supreme Court of Judicature.”

No. 766.—“ An Act relating to Statute Labour for Charlottetown, its Common and Royalty, and also to Nuisances in and about the same.”

No. 767.—“ An Act to consolidate and amend the several Acts relating to Prison Discipline and Hard Labour, and to repeal certain Acts therein mentioned.”

No. 771.—An Act to consolidate and amend the several Acts relating to Summary Trespasses, and to repeal certain Acts therein mentioned.

No. 772.—An Act relating to Bail, and other practical parts of the Law, and to consolidate, amend, and reduce into an Act, the Laws heretofore passed on the same subject in this Island.

No. 775.—An Act to prevent Pedlars travelling and selling within this Island without License.

No. 776.—An Act to Incorporate the Royal Agricultural Society of Prince Edward Island.

No. 778.—An Act to enlarge the Provisions of the Act to provide for reprinting the Laws of this Island.

No. 781.—An Act to Repeal three certain Acts therein mentioned.

No. 783.—An Act relating to costs in cases of penalties recoverable before Justices of the Peace, and to repeal a certain Act therein mentioned.

No. 784.—An Act to repeal the Act relating to the Bank of British North America.

No. 786.—An Act to continue an Act relating to Treasury Warrants.

No. 788.—An Act to further continue an Act intitled An Act to consolidate, amend, and reduce into

one Act, the several Acts and parts of Acts relating to the qualification and mode of summoning Grand and Petit Jurers.

No. 789.—An Act for the appointment of Clerks to Justices of the Peace, and to regulate proceedings had before them.

No. 790.—An Act for appropriating certain moneys therein mentioned, for the Service of the year of our Lord One thousand Eight hundred and Forty-nine.

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)

C. GREVILLE.

## No. 7.

At the Court at Osborne House, Isle of Wight.

6th day of October, 1849.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS PRINCE ALBERT.

Lord President,	Viscount Palmerston,
Earl of Carlisle,	Lord Campbell,
Earl Grey,	Sir George Grey, Bt.
Lord John Russell,	

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 May, 1849, pass two Acts, which have been transmitted, entitled as follows, viz:

No. 777.—An Act relating to Light Houses and Buoys and Beacons.

No. 779.—An Act to regulate the Specie Currency of Prince Edward Island.

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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 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 are 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. 8.

At the Court at Osborne House, Isle of Wight,  
6th day of October, 1849.

## PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY.  
HIS ROYAL HIGHNESS PRINCE ALBERT.  
Lord President,           Viscount Palmerston,  
Earl of Carlisle,         Lord Campbell,  
Earl Grey,                 Sir George Grey, Bart.  
Lord John Russell,

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 May, 1849, pass nine Acts, which have been transmitted, entitled as follows, viz:

No. 758.—An Act to authorize Free Trade with the United States of America, in certain enumerated articles.

No. 765.—An Act for raising a Revenue.

No. 768.—An Act relating to the duties of the Harbour Master of the Port of Charlottetown, and for the better regulation of the Public Wharfs therein.

No. 769.—An Act for the improvement of the Court of Chancery.

No. 770.—An Act to repeal an Act passed in the seventh year of the Reign of Her present Majesty, intitled "An Act for regulating the size and quality of

Fish Barrels and Tierces, and the weight of Fish made up therein, and for the appointment of Fish Inspectors, and also to regulate the Inspection of Pickled Fish, and to make other provisions in lieu thereof.

No. 773.—An Act relating to Harbour and Ballast Masters.

No. 774.—An Act to regulate the Survey of Timber and Lumber.

No. 785.—An Act to explain and amend the Act relating to Boards of Health.

No. 787.—An Act to amend the Act incorporating a Mutual Fire Insurance Company.

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. 9.

No. 85.

DOWNING STREET,  
10th October, 1849.

SIR;

Nine Acts passed by the Legislature of Prince Edward Island, of which a Schedule is hereto annexed, having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council their opinion that the said Acts should be left to their operation, and I have the honor to transmit herewith an Order of Her Majesty in Council, dated the Sixth of October, approving that report.

Among these Acts is one (No. 769) for the improvement of the practice of the Court of Chancery of Prince Edward Island. Although I have deemed it right to

advise Her Majesty to leave this enactment to its operation, it appears to me not wholly free from objection. The time allowed for the appearance in Court of a Defendant who may be resident out of the Colony, is, in some cases, manifestly too short. For example, a person who shall be residing in Italy or Australia, at the time of the service of the Subpœna, would find it difficult, if not impossible, to put in an appearance before the Court within the time limited by the eighteenth clause of this Act. You will take an early opportunity of directing the attention of the Legislature to this part of the Law, with a view to its amendment.

I have, &c.  
(Signed) GREY.



## No. 10.

At the Court at Windsor,  
the 8th day of January, 1850.

[L. S.]

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY.  
HIS ROYAL HIGHNESS PRINCE ALBERT,  
Lord President, Earl Grey,  
Duke of Norfolk, Mr. Labouchere,  
Lord Chamberlain, Sir George Grey, Bart.

**W**HEREAS 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 May, 1849, pass an Act, which has been transmitted, intituled as follows, viz.:—

No. 780.—“An Act to provide for the payment of the Civil List, and to alter the appropriation of a certain sum of money raised by the present Land Assessment Act.”

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 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. 11.

*Extract of a confidential Despatch from Earl Grey, dated 18th February, 1850.*

“With respect to the concession of Responsible Government, should that subject be again pressed on your attention, the passages in my public Despatch of 27th December, which relate to that subject, will enable you fully to understand the views of Her Majesty's advisers.

“You will observe that I have not expressed in it

any determination to advise Her Majesty to refuse this concession, if it should appear that it is the real wish of the Inhabitants of the Colony in general. I have pointed out my own reasons for not thinking such a mode of Government particularly desirable for the community in its present stage, and I have pointed out also the permanent provisions, and establishments which must precede its adoption.”

## No. 13.

At the Court at Osborne House, Isle of Wight,  
the 6th day of October, 1849.

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY in Council.

**W**HEREAS by an Act passed in the session of Parliament held in the twelfth and thirteenth years of the reign of Her Majesty, intituled the “Pas-

sengers' Act, one thousand eight hundred and forty-nine,” it is enacted, that it shall be lawful for Her Majesty, by any Order in Council, to be by Her made with the advice of the Privy Council, to prescribe such rules and regulations as to Her Majesty may seem fit, for preserving order, and for securing cleanliness and ventilation on board of passenger ships proceeding from the United Kingdom to any port or place in Her Majes-

ty's possessions abroad, and the said rules and regulations from time to time in like manner to alter, amend, and revoke, as occasion may require;

And whereas it is expedient to revoke an Order in Council made at a Court held at Osborne-House, Isle of Wight, on the fifteenth day of April one thousand eight hundred and forty-eight, in virtue of the provisions of an Act (now repealed) passed in the eleventh year of the reign of Her Majesty, intituled "An Act to make further provision for one year, and to the end of the then next session of Parliament, for the carriage of passengers to North America," and to make a new Order in Council which shall extend to passenger ships proceeding from the United Kingdom, not only to North America, but to any port or place in Her Majesty's possessions abroad, out of Europe, and not being within the Mediterranean Sea;

Now, therefore, Her Majesty doth, by and with the advice of Her Privy Council, and in pursuance and exercise of the authority vested in Her by the said "Passengers' Act, one thousand eight hundred and forty-nine," order, and it is hereby ordered, that the said Order in Council of the fifteenth of April one thousand eight hundred and forty-eight be, and the same is hereby revoked; and that the following shall henceforth be the rules for preserving order and for securing cleanliness and ventilation to be observed on board of every passenger ship proceeding from the United Kingdom to any port or place in Her Majesty's possessions abroad, out of Europe, and not being within the Mediterranean Sea.

1. All passengers who shall not be prevented by sickness, or other sufficient cause, to be determined by the surgeon, or in ships carrying no surgeon, by the master, shall rise not later than seven o'clock A. M., at which hour the fires shall be lighted.

2. It shall be the duty of the cook, appointed under the twenty-sixth section of the said "Passengers' Act, one thousand eight hundred and forty-nine," to light the fires and to take care that they be kept alight during the day, and also to take care that each passenger, or family of passengers, shall have the use of the fire-place, at the proper hours, in an order to be fixed by the master.

3. When the passengers are dressed their beds shall be rolled up.

4. The decks, including the space under the bottom of the berths, shall be swept before breakfast, and all dirt thrown overboard.

5. The breakfast hour shall be from eight to nine o'clock A. M.; provided that, before the commencement of breakfast, all the emigrants, except as hereinbefore excepted, be out of bed and dressed, and that the beds have been rolled up, and the deck on which the emigrants live properly swept.

6. The deck shall further be swept after every meal, and, after breakfast is concluded, shall be also dry holystoned or scraped. This duty, as well as that of cleaning the ladders, hospitals, and round-houses, shall be performed by a party taken in rotation from the adult males above fourteen, in the proportion of five to every one hundred emigrants, and who shall be considered as sweepers for the day. But the single women shall perform this duty in their own compartment, where a separate compartment is allotted to them, and the occupant of each berth shall see that his own berth is well brushed out.

7. Dinner shall commence at one o'clock P. M., and supper at six P. M.

8. The fires shall be extinguished at seven P. M. unless otherwise directed by the master, or required for the use of the sick, and the emigrants shall be in their berths at ten o'clock P. M. except under the permission or authority of the surgeon; or, if there be no surgeon, of the master.

9. Three safety-lamps shall be lit at dusk, and kept burning till ten o'clock P. M.; after which hour two of the lamps may be extinguished, one being nevertheless kept burning at the main hatchway all night.

10. No naked light shall be allowed at any time or on any account.

11. The scuttles and stemports, if any, shall, weather permitting, be opened at seven o'clock A. M. and kept open till ten o'clock P. M.; and the hatches shall be kept open whenever the weather permits.

12. The coppers and cooking utensils shall be cleansed every day.

13. The beds shall be well shaken and aired on deck at least twice a week.

14. The bottom boards of the berths, if not fixtures, shall be removed and dry-scrubbed, and taken on deck at least twice a week.

15. A space of deck-room shall be apportioned for a

hospital, not less, for vessels carrying one hundred passengers, than forty-eight superficial feet, with two or four bed-berths erected therein; nor less, for vessels carrying two hundred or more passengers, than one hundred and twenty superficial feet, with six bed-berths therein.

16. Two days in the week shall be appointed by the master as washing days; but no washing or drying of clothes shall on any account be permitted between decks.

17. On Sunday mornings the passengers shall be mustered at ten o'clock A. M. and will be expected to appear in clean and decent apparel. The Lord's day shall be observed as religiously as circumstances will admit.

18. No spirits or gunpowder shall be taken on board by any passenger; and if either of those articles be discovered in the possession of a passenger, it shall be taken into the custody of the master during the voyage, and not returned to the passenger until he is on the point of disembarking.

19. No loose hay or straw shall be allowed below for any purpose.

20. No smoking shall be allowed between decks.

21. All Gambling, fighting, riotous or quarrelsome

behaviour, swearing and violent language, shall be at once put a stop to. Swords and other offensive weapons shall, as soon as the passengers embark, be placed in the custody of the master.

22. No sailors shall be allowed to remain on the passenger deck, among the passengers, except on duty.

23. No passenger shall go to the ship's cook-house without special permission from the master, nor remain in the fore-castle among the sailors on any account.

24. In vessels not expressly required by the said "Passengers' Act, 1849," to have on board such ventilating apparatus as therein mentioned, such other provision shall be made for ventilation as shall be required by the emigration officer, at the port of embarkation, or in his absence by the officers of customs.

25. And to prevent all doubts in the construction of this Order in Council, it is hereby further ordered that the terms "United Kingdom" and "Passenger Ship" shall herein have the same significations as are assigned to them respectively in the said "Passengers' Act, one thousand eight hundred and forty-nine."

And the Right Honourable Earl Grey, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

WM. L. BATHURST.

## No. 14.

(COPY.)

No. 99.

DOWNING STREET,  
18th February, 1850.

SIR;

I have the honor to acknowledge the receipt of your Despatch No. 28, of the 12th of June last, enclosing an Address to the Queen from the House of Assembly of Prince Edward Island, praying that the privileges of Free Ports may be extended to certain Harbours of the Island, as enumerated in a joint Address from the Council and Assembly, transmitted in your predecessor's Despatch, No. 81, of the 27th of April, 1847.

You will acquaint the House of Assembly, that I have laid these Addresses before the Queen, and that Her Majesty was pleased to receive them very graciously.

I have received Her Majesty's commands to instruct you to state to the House, that by the effect of the Act

(2 and 13 Vic. cap. 29, repealing, among other Acts, certain portions of the 8 and 9 Vic. cap. 93, Foreign Ships may resort to any established Port of Entry in Her Majesty's Possessions, without any special designation of such Port by Her Majesty as a free Port; subject however to the provisions of the 4th clause of the above first mentioned Act, which confines the carriage, by sea, from one part of a Colony to another part of the same Colony.

It is therefore unnecessary that any special directions should be given to Her Majesty in Council upon the subject of the Addresses you have transmitted to me.

I am, &c.,

(Signed) GREY.

Lieutenant Governor

Sir DONALD CAMPBELL, Bart.

## No. 15.

No. 102.

DOWNING STREET,  
20th February, 1850.

Sir;

I wish to direct your attention, and that of your Executive Council, to the provisions of the Act 12 and 13 Victoria, Cap. 66, for enabling Colonial Legislatures to constitute Inland Posts.

2. That Act was passed by the Imperial Parliament in order to carry into execution, as far as lay within its Province, the Resolutions embodied in an approved minute of the Executive Council of Canada, drawn up after communication with certain Members of the Executive Council of Nova Scotia, and dated 10th June, 1848, a Copy of which is transmitted herewith. It appeared to Her Majesty's Law Advisers, that those Resolutions could not be carried into effect, unless an Imperial Act were previously passed, in order to repeal the various Statutes, under which Her Majesty's Post Master General had exclusive privileges in the Colonies, and give the Colonial Legislatures the necessary powers.

3. As I have not had any former communication with you on this important subject, I am not aware whether you consider Prince Edward Island prepared to undertake the management of its own Post Office, in the same manner as will now be done by the other North American Provinces. Should it be so, it will be very advantageous to complete the whole transfer by simultaneous action in the several Colonies.

4. You will, therefore, (if you consider that there are no sufficient reasons against it,) propose to the Legislature to pass an Act, according to the provisions of the Imperial Act above recited, observing especially that under Section 2 such Act cannot take effect until it has received the assent of Her Majesty in Council; a provision which has been adopted to insure, as far as possible, uniformity in the execution of this transfer of an important branch of the Public Service in the several Colonies.

5. With respect to the other provisions, to be contained in the Act to be passed by your Legislature, Her Majesty's Government are fully prepared to approve of those which are embodied in the minute of the Canadian Executive Council above referred to, and

which the Canadian Legislature made the foundation of an Act passed in its last Session, of which a Copy is annexed for your information. They are especially sensible of the importance of maintaining the principle, that there should be but one uniform rate for the single Letter throughout the whole of the North American Provinces, and that no Province should levy a transit rate on the correspondence transmitted from another.

6. There would, likewise, be great advantage in a simultaneous transfer of the accounts of the several Post Offices on the same day from the Post Master General to the Provincial Authorities, through the Officers of the Imperial Post Office, now administering the Department under his control. For obvious reasons, that day, if possible, should be a quarter day.

7. As there is great advantage in avoiding the complication of correspondence with the several Colonies, by naming a day beforehand; I propose the 6th October, next ensuing, as the day on which it would be most convenient, that the transfer should take place simultaneously in Canada, Nova Scotia, New Brunswick, and also in Prince Edward Island, if practicable. You will signify to the Governor General, (to whom I have made the same communication,) whether this day will be suitable in your opinion, and that of your advisers. Should this be otherwise, further correspondence will become necessary.

8. It will, however, in my opinion, not be advisable that this day should be fixed, specifically, in the Act to be passed, as this would occasion inconvenience, if unforeseen circumstances should render a postponement of the day desirable. It will be better, that the day should either be left to be fixed by Her Majesty in the Order in Council assenting to the Act, or that the Act should leave the determination of the day to the Lieutenant Governor of the Province.

9. Another point will necessarily engage your attention. The existing Post Office Acts, in this Country, contain various criminal provisions, under which many actions, which when committed by other Individuals, are either venial, or mere breaches of trust, become serious offences in the eye of the Law, and are punished with great severity when committed by Officers of the

Post Office. I may refer you, on this subject, to the Imperial Acts 5 George 3, Cap. 25; 1 Victoria, Cap. 33; and 1 Victoria, Cap. 36, as it appears that these Enactments relate in terms to offences regarding Letters, &c., under the control of the Post Master General only; it should seem that they will no longer be in force in the Colonies after the transfer; and it will be advisable, that the Legislature should adopt the criminal provisions of these Acts, or others which may appear equally effective for the purpose.

10. I have addressed Despatches, to a similar effect, to the Lieutenant Governors of Nova Scotia and New Brunswick, and shall be glad to hear that measures are in progress for carrying into execution this important object.

I am, &c.,

(Signed) GREY.

Lieut. Governor

Sir Donald Campbell, Bart.,  
&c. &c. &c.

*Copy of a Report of a Committee of the Executive Council of Canada, approved by the Governor General in Council, on the 10th June, 1848.*

MAY IT PLEASE YOUR EXCELLENCY;

The attention of the Committee of the Executive Council has been called to the important subject of the Provincial Post Office, by the arrival in this Province, and at the Seat of Government, of the Honorable Mr. Uniacke, from the Sister Province of Nova Scotia, bringing Letters to your Excellency from the Lieutenant Governor of that Province, showing him to be authorized to explain the views of the Government there to the Authorities in this Colony, with the object of arranging a plan for the united action of the Colonial Governments on this interesting subject.

Mr. Uniacke, being thus authorized, submits a memorandum explanatory of the intentions and opinions of the Government of Nova Scotia; which memorandum the Committee of Council have taken into their most attentive consideration.

It appears that, in anticipation of some Legislative provision by the Imperial Parliament, an Act was

passed by the Legislature of Nova Scotia, giving the Executive Government full powers of acting in the premises, should they be placed in a condition so to act by the Imperial Authorities.

The Post Master General of England, by his Report to the Right Honorable the Lords Commissioners of Her Majesty's Treasury, on the 18th August, 1846, on behalf of Her Majesty's Government, consented to resign his control over the Post Office of British America upon certain conditions which will still retain in effect the advantages of a Central Government. These conditions are as follow:

First. That no transit Postage shall be charged on Letters between the Provinces for the cost of conveyance through any Province.

Second. That Two-pence, Sterling, the half ounce, shall alone be charged on Letters, by British Mails, between Great Britain and British America, and that this stipulation shall extend to Countries with which Postal Conventions may exist, and that Her Majesty's Government may demand such concession in their favor. If the rate be reduced on Provincial Letters, the benefit of such reduction to extend to the United Kingdom, and those Countries referred to. The rate to be collected according to the British scale.

Thirdly. That pre-payment of Postage shall remain optional. Each Province shall keep the amount it collects, so as to avoid the necessity for complicated accounts. That a uniform system throughout British America is desirable, and is also the most equitable.

Lastly. That the Packet Postage belonging to the United Kingdom, and which in the Lower Provinces has hitherto been applied towards the general Expenditure of the Department be remitted to England, and that the transit Postage which may become due to the United States, for the conveyance of the British Mails, should be defrayed in equal proportions, by Canada and the United Kingdom.

The Committee of the Executive Council fully concur in the opinion, that a uniform rate of cheap Postage in these Colonies should be established. There is no subject upon which public opinion is so united. Under the system which prevails at present, the Post Office is only used when no opportunities occur for evading the regulations. The rates of Postage forbid the transmission of enclosures, unless when it cannot be avoided,

and correspondence is limited by considerations of expense found to be oppressive in all classes of Society.

This state of the Post Office in the Colony is found to be the more oppressive, because revenue from that source has not been accustomed to be received, and because the public mind is not disposed to consider any revenue, which can be derived from Postage, as of sufficient consequence to be compared with the advantage of cheap correspondence, and moreover the success of the admirable project of Penny Postage in England, has produced a universal conviction, that high rates of Postage are destructive of revenue and of the means of self-maintenance, to arise from the Department itself.

Entertaining these opinions, and feeling that they are concurred in generally, the first object of enquiry, is, to fix a rate which, by its amount, would not be so large as to discourage correspondence, or induce evasions of the use of the Post Office, and which, at the same time, would be sufficiently high to make the Revenues of the Department defray its expenses.

On this question the Committee of Council are of opinion, that the establishment of a Penny Postage, in preference to a rate somewhat higher, would not increase the transmission of Letters by Post, so as to make the Revenue of the Post Office sufficient for its expenses. They think that, at a considerably higher rate of Postage, the correspondence through the Post Office would be nearly equal to any which could be procured by a rate so low as a Penny, while the higher rate would secure the Public Revenue from any considerable charge, on account of the expenses of the Post Office.

The Committee are disposed to concur with the Government of Nova Scotia, in fixing the rate of Postage, on the half-ounce-Letter, at Three-pence, Currency.

On inquiry of the Deputy Post Master General, the Committee find, that the gross number of Letters transmitted through the Post Office in Canada, in the last year, is 1,873,386, which, if paid for at the uniform rate of Three-pence, supposing all the Letters to be single, or not over the half-ounce, would produce £23,417 6s. 6d. It is estimated, that one-fifth would be a low proportion to add, on account of Letters over that weight, which addition would produce £4683 9s. 3d. To this remains to be added the Newspaper Postage, amounting to £7000. Giving in all a Revenue of £35,000 5s. 9d.

The whole expenditure of the Canadian Post Office is stated, by the Deputy Post Master General, deducting the sum paid to the United States Post Office, at £56,522 5s. 6d., which would make the present expenditure a little more than one-half greater than the estimate Revenue to arise from a Three-pence Postage.

The Committee have no doubt, that the increase of correspondence arising from the uniform low rate of Postage, would, in a few years, be fully as large as the whole of the present correspondence, and that not only would the expenses of the Department be repaid by revenue, but that there would be a considerable surplus. To make the measure advisable, it would only be necessary to avoid loss; and, therefore, in recommending the adoption of the rate of Three-pence, the Committee feel that they are perfectly safe, and that there can arise no danger of a continuing charge upon the Public Revenue from such a measure.

The Committee are glad to find, that their opinion, as regards this rate, is supported by that of Mr. Stayner, the Deputy Post Master General, who, in a letter to the Inspector General, uses the following language:—

“I hope you will permit me to add, on the subject of Letter Postage, that I am more and more impressed with the conviction, that there should be but one rate, and that it should be Three-pence.” Thus the Committee find that their own reasoning, the opinion of the Government of Nova Scotia, and that of an Officer of great intelligence and experience in the Department of the Post Office, lead to the same conclusions.

The Committee would be glad to find that Her Majesty's Post Master General saw no objection to place the Inland Postage on Letters from the United Kingdom, and from countries with which there are Postal Conventions, at the same rate of Three-pence, Currency, an amount so little over the proposed rate of Two-pence, Sterling, that it is conceived the former rate cannot give rise to any serious objection. If there should, however, be found any reluctance on the part of the Post Master General to assimilate the rate on English Letters, to the Three-pence rate proposed, the difference would not present any obstacle to the arrangements in the minds of the Committee.

The Committee of Council are prepared to adopt the suggestions, submitted by Mr. Uniacke, as follows:—

That there be one uniform rate of Three-pence, Provincial Currency, throughout British North America.

That no transit Postage between the Provinces be allowed.

That Two-pence, Sterling, the half-ounce, shall remain, as the rate in operation, as regards Letters by British Mails, to be extended to Countries having Postal Conventions with Great Britain, (unless Her Majesty's Government should see fit to permit this rate to be changed to Three-pence, Currency.)

The pre-payment of Postage shall be optional.

That each Province shall retain the amount of Postage it collects.

The Packet Postage to be paid to England. The Provincial Rate of Two-pence, Sterling, to belong to the Province which collects it, and, if pre-paid in England, to be credited to the Province to which the Letter is addressed.

No privilege of franking to be allowed.

Postage Stamps for pre-payment to be allowed, and Colonial Stamps to be engraved.

Newspapers, Pamphlet, and Magazine Postage to be at the present rates, with power to each Legislature to send them free of charge.

The above, as observed by Mr. Uniacke, will leave for future arrangement the rate of remuneration for the transport of the British Mails, by Express, through the Provinces of Nova Scotia and New Brunswick, to Canada.

There being no Act of the Provincial Parliament of Canada, of the same effect as in Nova Scotia, it would be impracticable for the Provincial Authorities to assume the management of the Post Office before a Meeting of the Legislature. But the Committee are of opinion, that the foregoing provisions should be introduced in a Bill to be laid before Parliament; and, in the mean time, they are induced to hope, that, as Her Majesty's Post Master General is believed to have full powers of discretionary action, in matters relating to the Colonial Post Office, Her Majesty's Government may be persuaded, upon your Excellency's recommendation, to adopt the above rates and regulations, without further delay; the Committee pledging the Provincial Administration to make good any excess of expenditure, over income, which may possibly arise in carrying out such an arrangement.

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The Committee respectfully recommend, that, if their views on this subject meet with your Excellency's approval, Mr. Secretary be directed to communicate the substance of this minute to Mr. Uniacke, for the information of the Government of the Province of Nova Scotia.

Certified.

(Signed) J. JOSEPH, C. E. C.

*Copy of an Act passed by the Legislature of Canada.*

CAP. XXXIV.

An Act to make provision for the management of the Post Office Department, whenever it shall be transferred to the Provincial Government.

[Passed 30th May, 1849.]

**W**HEREAS it is expedient that a uniform and cheap Rate of Postage should be established throughout British America: And whereas the Imperial Government has signified to His Excellency the Governor-General, its readiness to relinquish the management of the Post Office Department, so soon as a uniform system of Postage should be agreed upon by the different local Governments: And whereas the different local Governments of British America have agreed upon the following propositions, namely:—

That there be one uniform Rate of Three-pence, Provincial Currency, throughout British North America.

That no transit Postage between the Provinces be allowed.

That Two-pence, Sterling, the half-ounce, shall remain as the Rate in operation, as regards Letters by British Mails, to be extended to Countries having Postal Conventions with Great Britain, (unless Her Majesty's Government shall see fit to permit this Rate to be changed to Three-pence, Currency.)

That the pre-payment of Postage shall be optional.

That each Province shall retain the amount of Postage it collects.

That the Packet Postage shall be paid in England, the Provincial Rate of Two-pence, Sterling, to belong to the Province which collects it, and, if pre-paid in

England, to be credited to the Province to which the Letter is addressed.

That no privilege of Franking be allowed.

That Postage Stamps for pre-payment be allowed, and Colonial Stamps be engraved.

That Newspaper, Pamphlet, and Magazine Postage be allowed to remain at present Rates, with power to each Legislature to send them free of charge.

And that the Rate of remuneration, for the transport of British Mails, by Express, through the Provinces of Nova Scotia and New Brunswick, be left for future arrangement.

And whereas the Imperial Government has approved the said propositions; but, nevertheless, Legislative action is necessary to enable Her Majesty's Government to give effect to the proposed arrangements: And whereas it is expedient to enable the Governor-General in Council, to give effect to such arrangements, as he may deem right, for the establishment of a uniform Rate of Postage, so soon as the necessary enactment may have been passed by the Imperial Legislature: Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council, and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of, and under the Authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled *An Act to re-unite the Provinces of Upper and Lower Canada*, and it is hereby enacted, by the Authority of the same, That it shall be lawful for the Governor in Council to enter into such arrangements with the Imperial Government, and with the Provincial Governments of the other British North American Provinces, as shall, in the opinion of the Governor in Council, be expedient to secure a uniform and cheap Rate of Postage; and that it shall also be lawful for the Governor in Council to make all such regulations, for the management of the Post Office Department and the Officers thereof, and of all matters thereunto belonging, as to him may seem meet, and from time to time to alter the same, which Regulations shall have the same force and effect, as if embodied in this Act, until the expiration of the next Session of the Provincial Parliament.

II. And be it enacted, That such Regulations, as shall be then in force, shall be laid before both Houses

of the Provincial Parliament, within Ten days after the opening of the next Session of the said Parliament, and that the same shall remain permanently in force as law, unless it shall be otherwise provided in some Act to be passed during the said Session.

III. And be it enacted, That it shall be lawful for the Governor in Council to pay out of the Consolidated Revenue Fund such sums (if any) as may be required to make up any deficiency in the Funds arising from the Revenue of the Post Office Department, to meet the expenses thereof.

CHARLOTTETOWN,

March 18, 1850.

Sir;

I had the honor to receive your communication of the 16th instant, accompanied by a Despatch from Earl Grey to the Lieutenant Governor, with its Enclosures upon the subject of the change contemplated to be effected in the existing Postal arrangements in the Provinces of British North America, and, at the same time, desiring from me, by command of His Excellency, information, (so far as it is in my power to communicate,) upon certain questions which you have submitted, and which I take the liberty to reply to in the order in which they are given.

FIRST.—“Where will the British Correspondence for this Island be delivered and received, under the contemplated arrangement for the payment of the British Packet Postage?”

Upon this subject, I am unable to give you information. The charge for Postage upon the Correspondence between this Island and Great Britain, is One Shilling, Sterling, per rate for the whole distance, out of that sum Ten-pence is charged for the British, Inland, and Packet Postage to Halifax, Nova Scotia; and Two-pence, Sterling, is allowed for the Internal or Colonial transmission through the respective British Provinces.

Now, as regards this Island, a very material distinction exists, as, in addition to the transmission of the Correspondence through the Island, a very heavy charge is entailed upon the Colony for the conveyance of the Mails between this Island and the neighboring Provinces of Nova Scotia and New Brunswick.



Hitherto all the correspondence, to and from this Island, have been received and delivered during the Summer Season at Pictou, Nova Scotia, and in the Winter at Amherst, in the same Province, after having to pass a distance of Forty miles Inland from Cape Tormentine, in New Brunswick. Amherst being upon the Mail Line or Station leading to the Northern parts of New Brunswick, Canada, &c.,—thereby causing an outlay or charge upon this Island of over £700, Halifax Currency, for inter-Colonial transmission of the correspondence of the Colony.

In addition to this sum, to afford to this Island all the advantages, which a weekly intercourse with England is intended to confer, it will be necessary to pay a further sum of £100 per annum, for the carriage of the British correspondence to Halifax from Pictou, as the days at present fixed for the conveyance of the Mails from Pictou, are the most inconvenient that can be, and causes a delay of Four days every alternate week of the Mails of this Island intended for England: And notwithstanding a strong remonstrance has, more than once, been made by the Lieutenant Governor, no alteration has been, or is likely to be made in the days of the Mails leaving Pictou.

SECONDLY.—“What is the amount of the present Post Office Revenue, distinguishing the British from the Colonial Postage?”

The annexed Table will put you in possession of the information you require, for the year ended the 5th of January last:—

Amount of Internal Postage.	Amount of Colonial Postage.	Amount of British Postage.	Gross Amount of Postage.	Dead and Returned Letters.	Net Amount of Postage.
£ s. d. 235 13 2½	£ s. d. 844 2 4½	£ s. d. 421 6 1½	£ s. d. 1501 1 8	£ s. d. 60 2 0½	£ s. d. 1440 18 7½
Halifax Currency.					

THIRDLY.—“What is the expense at present incurred, in conducting the Department of the Post Office, in this Island?”

The sum paid for the internal management of the Department, for the year ended the 5th of January, including Commission and Salaries to Officers and Assistants, Mail Couriers and contingent expenses, amounted to the sum of £828 7s. 10d., Halifax Cur-

rency, this with the sum of £700, Halifax Currency, paid for the conveyance of the Mails by Steam to Pictou, and for the Winter conveyance to Amherst, will amount to £1528 7s. 10d.

FOURTHLY.—“To what extent will the Revenue of the Post Office be affected by a uniform Rate of Three-pence, Currency, upon Colonial correspondence, and will the receipts under that system be equal to the expenditure?”

Under the existing arrangement, a charge of Two-pence per Rate is added upon all the Colonial correspondence transmitted between Charlottetown and the Inland or Country Offices in this Island; this charge, under the contemplated alteration, will not be allowed, and the reduction of the present Colonial Rates to Three-pence, Currency, the half-ounce, or rate, cannot fail to reduce the Colonial Postage very considerably. It is difficult for me even to form a conjecture to what extent this will be, or how far the supposed increased correspondence, under the reduced rate, may go to make up the deficiency; but, from the limited trade and intercourse of the Island, I am of opinion, a great falling off will take place, and, taking the foregoing Table for the last year's receipts, I think it likely a deficiency on the Inland, to the extent of one-third, will take place, by the discontinuance of the Two-pence additional on the Colonial Letters.

The Colonial Postage which, during the last year, amounted to £844 2s. 4d., will, probably, be reduced one-half.

Under the contemplated reduced Postage, it is likely the account will stand thus:—

Inland Postage, 1 year,	£235 13 2½	
Less one-third,	78 11 1	
		£157 2 1½
Colonial Postage,	844 2 4½	
Less one-half,	422 1 2½	
		422 1 2½
British Postage,	421 6 1½	
Less two-thirds,	280 17 4½	
		140 8 8½
	Halifax Currency,	£719 12 0½
Less Dead and Returned Letters,		60 2 0½
		£659 10 0
Supposed net receipts,		£659 10 0

Receipts, brought forward,	£659 10 0
To be provided by the Government of P. E. Island, to make good expen- diture,	868 17 10
	<hr/>
Halifax Currency,	£1528 7 10
	<hr/>

In the above Statement, I have allowed, as the sum to be remitted to England, two-thirds of the amount of British Postage received here. Supposing an equal sum to be collected in England, thereby allowing one-sixth of the whole amount as the sum to be retained for the British Colonial Rate of Two-pence, Sterling.

I am not aware that I can afford any further information upon this important subject; but am prepared to submit a detailed Statement of all the matters connected with this Office, if His Excellency should require me to do so.

I have, &c.,

(Signed) THOMAS OWEN.

The Honorable

T. H. HAVILAND,

Secretary, &c.

## No. 16.

(COPY.)

GOVERNMENT HOUSE,  
Toronto, 21st February, 1850.

SIR;

I have the honor to transmit herewith the Copy of a Minute, by the Executive Council of this Province, in reference to a Resolution in favor of Reciprocal Free Trade between the British North American Colonies in certain articles, the natural products thereof, adopted at a Conference of Delegates from the Governments of Canada, New Brunswick, and Prince Edward Island, held at Halifax on the 3d and 4th of September last, at which the Members of the Executive Council of Nova Scotia were present.

I shall be glad to receive from your Excellency, such information, as you may be able to furnish, respecting the views of the Legislature of Prince Edward Island, on this subject, and copies of any Bill or Bills which may be introduced, for giving effect to the above-mentioned recommendation of the Delegates who met at Halifax.

I have, &c.,

(Signed) ELGIN & KINCARDINE.

His Excellency

SIR DONALD CAMPBELL, Bart.

&c. &c. &c.

(COPY.)

*Extract from a Report of a Committee of the Honorable the Executive Council, on matters of State, dated 19th February, 1850, approved by His Excellency the Governor-General in Council on the same day.*

The Committee of the Executive Council have had, under consideration on your Excellency's reference, a Report from the Honorable L. H. Lafontaine and the Honorable W. H. Merritt, of certain resolutions adopted at a Conference of Delegates from the Executive Governments of the Provinces of Canada, New Brunswick, and Prince Edward Island, held in Halifax on the 3d and 4th days of September, 1849, at which the Members of the Executive Council of Nova Scotia were present.

The 4th Resolution, adopted at the said Conference, contains a recommendation to the respective Colonial Governments of British North America, to propose to their Legislatures, the removal of all duties on their respective natural products, which are enumerated in a previous Resolution.

The Committee of the Executive Council are respectfully of opinion, that it is highly expedient, that Reciprocal Free Trade, in the articles enumerated, should be established between the several North American Colonies, and are therefore prepared to recommend

to the Canadian Parliament to pass an Act to carry out the recommendation above referred to; but they are anxious to ascertain the views of the Legislatures of the other Provinces now in Session; and, therefore, humbly recommend your Excellency to communicate with the several Lieutenant Governors on the subject, and to obtain from them copies of any Bills which may be introduced, for giving effect to the recommendation of the Delegates, who met at Halifax.

Certified.

(Signed) J. JOSEPH, C. E. C.

(COPY.)

3. *Resolved*, That the following be the Articles to be so imported, viz.:—

Grain and Breadstuffs of all kinds; Vegetables; Fruits; Seeds; Hay and Straw; Animals; Salted and Fresh Meats; Butter; Cheese; Lard; Tallow; Hides; Horns; Wood; Undressed Skins, and Furs of all kinds.

Ores of all kinds; Iron, in Pigs and Blooms; Copper; Lead, in Pigs; Grindstones, and Stones of all kinds; Earth; Coals; Lime; Ochre; Gypsum, ground and unground; Rock Salt; Wood; Timber and Lumber of all kinds; Firewood; Ashes. Fish; Fish Oil, viz.:—Train Oil; Spermaceti Oil; Head matter and Blubber; Fins and Skins; the produce of Fish or Creatures living in the Sea.

4. *Resolved*, That it be recommended to the respective Colonial Governments of British North America to propose to the Legislatures, the removal of all Duties on their respective natural products, as above enumerated.

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GOVERNMENT HOUSE,

Fredericton, 6th March, 1850.

SIR;

I have the honor to forward, for the information of your Excellency and Council, a Copy of a Minute of my Executive Council, and of the Bill referred to in such Minute.

I am, Sir,

Your Excellency's obedient Servant,

(Signed) EDM. HEAD.

His Excellency

Sir DONALD CAMPBELL, Bart

&c. &c. &c.

*Copy of a Minute of the Executive Council of New Brunswick, of the 5th of March, 1850.*

PRESENT:

His Excellency the LIEUTENANT GOVERNOR, and the Honorables Messrs. Hazen, Rankin, Wilmot, Partelow, Fisher, and Hannington.

Read a Letter addressed to His Excellency the Lieutenant Governor, from the Governor-General of Canada, dated February 21, 1850, enclosing an Extract from a Report of a Committee of Council to the following effect, approved by the Governor-General in Council, viz.:—

“The Committee of the Executive Council who have had under consideration, on your Excellency's reference, a Report from the Hon. L. H. Lafontaine, and the Hon. W. H. Merritt of certain Resolutions adopted at a Conference of Delegates from the Executive Governments of the Provinces of Canada, New Brunswick, and Prince Edward Island, held in Halifax on the 3d

and 4th days of September, 1849, at which the Members of the Executive Council of Nova Scotia were present.”

The 4th Resolution, adopted at the said Conference, contains a recommendation to the respective Colonial Governments of British North America, to propose to their Legislatures, the removal of all duties on their respective natural products, which are enumerated in a previous Resolution.

The Committee of the Executive Council are respectfully of opinion, that it is highly expedient, that Reciprocal Free Trade, in the articles enumerated, should be established between the several North American Colonies, and are therefore prepared to recommend to the Canadian Parliament to pass an Act to carry out the recommendation above referred to; but they are anxious to ascertain the views of the Legislatures of the other Provinces now in Session; and, therefore, humbly recommend your Excellency to communicate with the several Lieutenant Governors on the subject, and to obtain from them copies of any Bills which may be introduced, for giving effect to the recommendation of the Delegates who met at Halifax.

Certified.

(Signed) J. JOSEPH, C. E. C.

Whereupon, Resolved, That His Excellency the Lieutenant Governor and the Executive Council fully concur in the views expressed by the Committee of the Honorable the Executive Council of Canada; and that

a Copy of the Bill, now before the House of Assembly, be forwarded to the Governor-General of Canada, the Lieutenant Governor of Nova Scotia, and the Lieutenant Governor of Prince Edward Island.

Extract from the Minutes.

(Signed) R. FULTON.

(COPY.)

A Bill relating to the Trade between the British North American Possessions.

**WHEREAS** it is deemed advisable to make provision for a Reciprocal Trade between this Province and the other British North American Possessions.

Be it therefore enacted, by the Lieutenant Governor, Legislative Council, and House of Assembly, that from and after the passing of this Act, it shall and may be lawful for His Excellency the Lieutenant Governor, or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, whenever it may be thought advisable so to do, to declare, by Proclamation, what articles the growth, production, or manufacture of the British North American Possessions of Canada, Nova Scotia, Prince Edward Island, and Newfoundland, or either of them, may be imported into this Province free of Duty.

No. 17.

## REPORT

OF THE TRUSTEES OF THE  
LUNATIC ASYLUM AND HOUSE OF INDUSTRY,

MARCH 23, 1850.

*To the Honorable the Legislative Council  
of Prince Edward Island, in General  
Assembly convened.*

The Annual Report of the Trustees of the Lunatic Asylum and House of Industry, herewith transmitted to your Honorable House, sets forth that, during the year commencing the 1st day of March, 1849, and terminating on the 28th day of February, 1850, there have been within the walls of that Institution 10 Lunatic Patients, of whom two have been discharged cured; likewise nine very imbecile Paupers nearly totally unable to assist in any domestic employment, of these the only one capable of rendering any material assistance has been dismissed for repeated non-compliance with the Regulations of the house.

The average number of Persons, which the Funds and Furniture of the Establishment will accommodate, in only Eighteen.

The disorder of several of the Lunatics is of a nature requiring constant restraint and attendance, whilst the

necessity of warming several separate apartments renders the expense large.

The items of Clothing, during the year, have cost £22 7s. 8½d.

Necessary repairs have cost £3 3s. 9½d.

Neither of these charges can be supposed to have reached their average.

The Medical Officer has received £25 by way of remuneration, and makes a further claim for Medicines.

The ventilation of the house is very defective, but the Trustees are not in possession of funds to remedy this defect, which might, nevertheless, be done at a trifling cost.

To the Return is subjoined a Statement of the charge at which the benefits of the Institution have been extended to parties whose expenses have been defrayed by their own friends.

WILLIAM SWABEY,

Honorary Secretary.

By order of the Board.

ANNUAL REPORT OF THE PAUPERS AND LUNATICS IN THE

ASYLUM, FROM 1st MARCH, 1849, TO 28th FEBRUARY, 1850.

NAMES.	AGE.	DESCRIPTION OF DISEASES.	REMAINED LAST RETURN.	DATES OF ADMISSION.	DATES OF DISCHARGE.	DIED.	NO. OF WEEKS.	RATE PER WEEK.		AMOUNT.			
								s.	d.	£	s.	d.	
Patrick O'Kieffe,	82	Pauper,		1849.	1849.		52	1-7	9	0	23	9	3½
John Stowe,	89	do.					52	1-7	9	0	23	9	3½
William M'Grath,	82	do.			15th Nov.		37	1-7	9	0	16	14	3¼
William Maher,	67	do.					52	1-7	9	0	23	9	3½
Johanna M'Kennedy,	33	Lunatic,	5				52	1-7	9	0	23	9	3½
Jeremiah M'Carty,	70	Pauper,					52	1-7	9	0	23	9	3½
Susan Parks,	46	Lunatic,					52	1-7	9	0	23	9	3½
Ann M'Kenna,	28	do.			24th March		3	3-7	9	0	1	10	10½
Michael Grady,	33	do.					52	1-7	9	0	23	9	3½
Edward Mullalley,	78	Pauper,	10				52	1-7	9	0	23	9	3½
Marian Pino,	26	Lunatic,			5th April		5	1-7	9	0	2	6	3¼
Lawrence Dornane,	58	do.					52	1-7	9	0	23	9	3½
Michael Malone,	77	Pauper,					52	1-7	9	0	23	9	3½
Patrick Mullins,	73	do.	14				52	1-7	9	0	23	9	3½
Ann Rowe,	46	Lunatic,		7th March			51	2-7	9	0	23	1	7
Alexander Finlayson,	60	do.		25th do.			48	5-7	9	0	21	18	5¼
Timothy Kayes,	25	do.		7th Aug.			29	3-7	9	0	13	4	10¼
Phillip Cowdy,	80	Pauper,		29th Decr.			8	6-7	9	0	3	19	8½
By Credit 28th February, 1849,											18	14	8½
											359	12	11¼
Contingencies, &c., &c.													
Doctor Mackieson's Salary for the Year ending 30th June, 1849,											25	0	0
Clothing for the Year, from 1st March, 1849, to 28th February, 1850,											22	7	8½
Repairs to the House, do. do.											3	3	9½
											410	4	5¼
Lunatics supported by their friends.													
Rev. A. G. Macdonell,	35	Lunatic,	1	1849.	1849.		52	1-7	10	0	26	1	5
William Prowse,	19	do.		5th Decr.			12	2-7	9	0	5	10	7
Sarah Sims,	45	do.		5th March	20th April		6	5-7	9	0	3	0	5½
											34	12	5½

DATES.	MONEYS RECEIVED, &c., &c.	AMOUNT.	REMARKS.
1849.		£ s. d.	
3d March	Treasury Warrant,	50 0 0	{ Dismissed for not complying with the regulations of the House.
5th April	do.	50 0 0	
6th June	By Cash from Mr. Reddin, Maher's } Grant from House of Assembly, }	5 0 0	
7th June	Treasury Warrant,	50 0 0	—Perfect cure, and is living Servant in the House.
2d August	do.	50 0 0	
6th do.	Miss Fanning's Subscription,	5 0 0	
7th Sept.	Treasury Warrant,	50 0 0	
6th Nov.	do.	50 0 0	
6th Decr.	do.	50 0 0	Cured and sent home to his friends.
1850.			
7th Feb.	do.	50 0 0	
Balance Credit,		0 4 5¼	
		410 4 5¼	
		£ s. d.	
By Cash from J. D. Macdonell, Esq.,		26 1 5	Removed for the purpose of sending to Boston.
do. Mr. Prowse,		5 10 7	
do. J. C. Sims, Esq.,		3 0 5½	
		34 12 5½	

Certified as correct.

WILLIAM SWABEY, Honorary Secretary.

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