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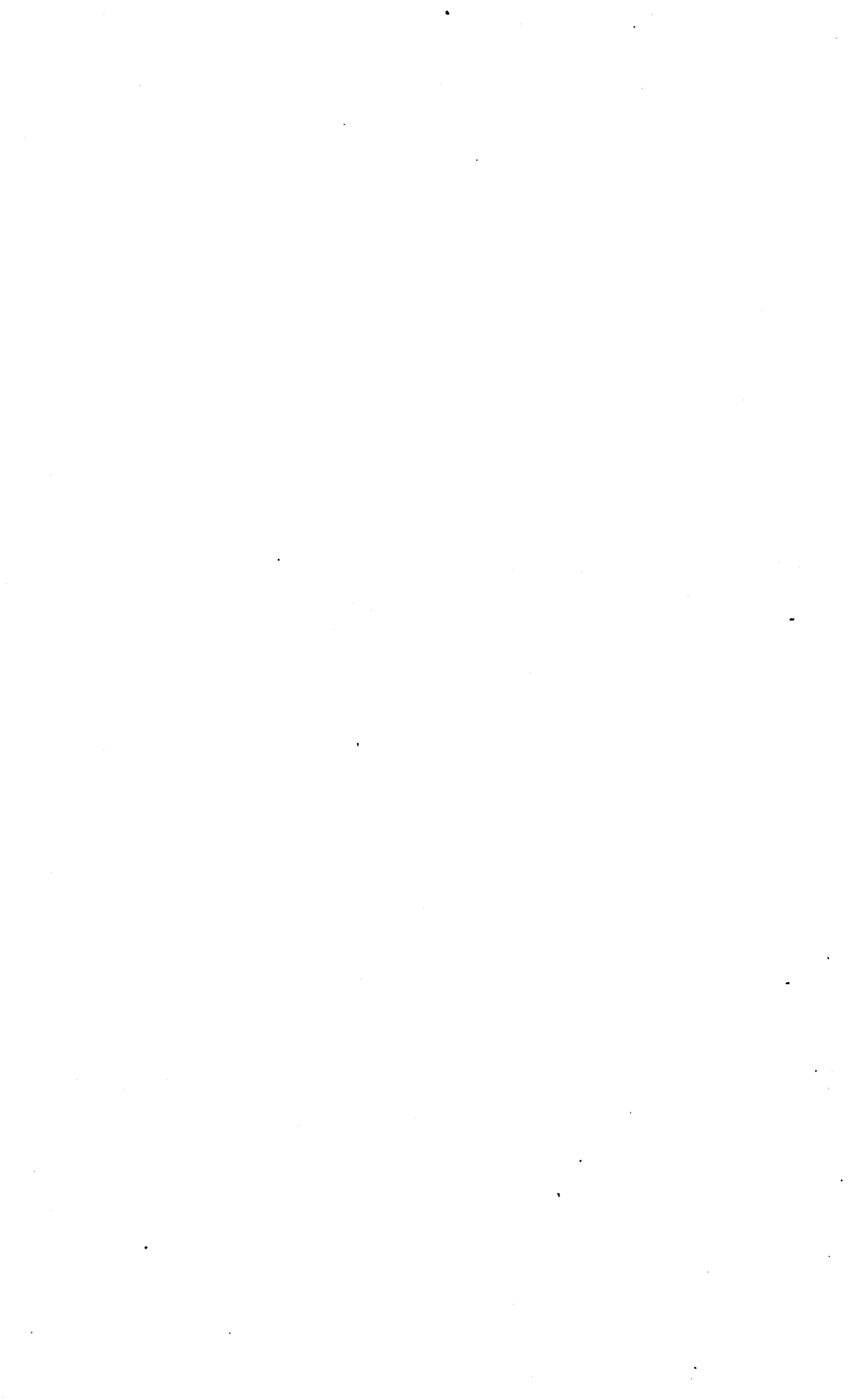
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JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF
PRINCE EDWARD ISLAND.

ANNO QUARTO REGIS GUILIELMI IV.

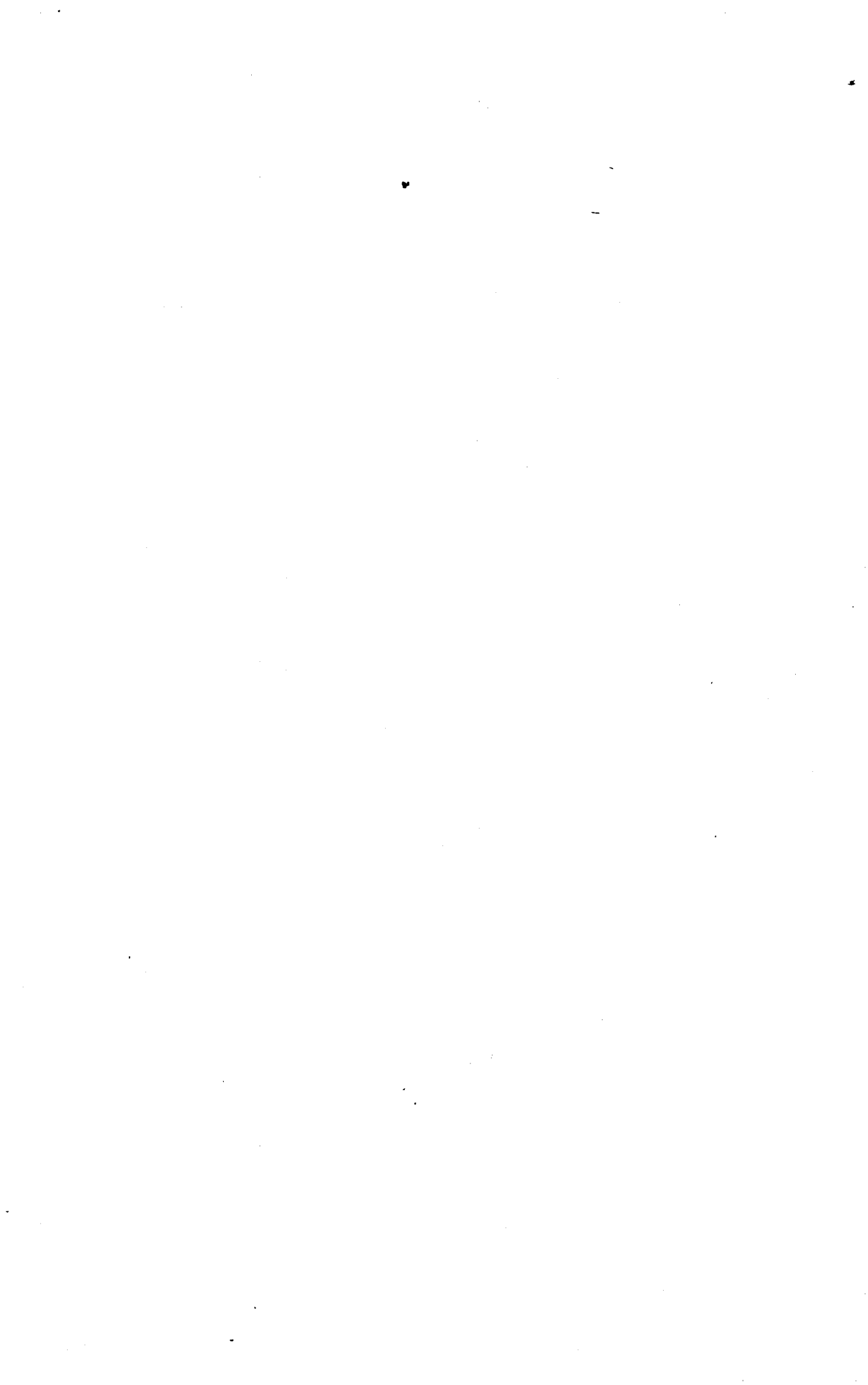
FOURTH SESSION OF THE THIRTEENTH GENERAL ASSEMBLY.



CHARLOTTE-TOWN:

PRINTED by JAMES D. HASZARD, Printer to the King's Most Excellent Majesty.

1834.





BY HIS EXCELLENCY
LIEUTENANT COLONEL

ARETAS WILLIAM YOUNG,

Lieutenant Governor and Commander in Chief in and over His Majesty's
Island Prince Edward, and its Dependencies, Chancellor and Vice

A. W. YOUNG, Admiral of the same, &c. &c. &c.
Lt. Governor.

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

WHEREAS the General Assembly of this Island stands prorogued until Monday the 20th instant:

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

Given under my hand, and the Great Seal of the Island, at Charlotte-Town in the said Island, this Eighteenth day of May. One Thousand Eight hundred and Thirty-three, and in the Third year of His Majesty's Reign.

BY HIS EXCELLENCY'S COMMAND,

J. P. COLLINS, Colonial Secretary.

GOD SAVE THE KING.

BY HIS EXCELLENCY
LIEUTENANT COLONEL

ARETAS WILLIAM YOUNG,

Lieutenant Governor and Commander-in-Chief in and over His Majesty's
Island Prince Edward, and its Dependencies, Chancellor and Vice

A. W. YOUNG, Admiral of the same, &c. &c. &c.
Lt. Governor.

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

WHEREAS the General Assembly of this Island stands prorogued until Monday the 1st day of July next:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued, until Monday the 19th Day of August next—of which all Persons concerned are required to take notice, and govern themselves accordingly.

Given under my hand, and the Great Seal of the Island, at Charlotte-Town, in the said Island, this Twenty-fifth day of June, One Thousand Eight hundred and Thirty-three, and in the Third year of His Majesty's Reign.

BY HIS EXCELLENCY'S COMMAND

J. P. COLLINS, Colonial Secretary.

GOD SAVE THE KING.

BY HIS EXCELLENCY
LIEUTENANT COLONEL

ARETAS WILLIAM YOUNG,

Lieutenant Governor and Commander in Chief in and over His Majesty's
Island Prince Edward, and its Dependencies, Chancellor and Vice

A. W. YOUNG, Admiral of the same, &c. &c. &c.
Lt. Governor.

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

WHEREAS the General Assembly of this Island stands prorogued until Monday the 19th instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Monday the 30th day of September next—of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my hand, and the Great Seal of the Island, at Charlotte-Town, in the said Island, this Seventeenth day of August, One Thousand Eight hundred and Thirty-three, and in the Fourth year of His Majesty's Reign.

BY HIS EXCELLENCY'S COMMAND,

J. P. COLLINS, Colonial Secretary.

GOD SAVE THE KING.

BY HIS EXCELLENCY
LIEUTENANT COLONEL

ARETAS WILLIAM YOUNG,

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

A. W. YOUNG,
Lt. Governor.

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

WHEREAS the General Assembly of this Island stands prorogued until Monday
the 30th instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby
prorogued until Monday the 11th day of November next—of which all Persons concerned
are required to take notice and govern themselves accordingly.

Given under my hand, and the Great Seal of the Island, at Charlotte-Town in the
said Island, this Twenty-first day of September, One Thousand Eight hundred
and Thirty-three, and in the Fourth year of His Majesty's Reign.

BY HIS EXCELLENCY'S COMMAND,

J. P. COLLINS, Colonial Secretary.

GOD SAVE THE KING.

BY HIS EXCELLENCY
LIEUTENANT COLONEL

ARETAS WILLIAM YOUNG,

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

A. W. YOUNG,
Lt. Governor.

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

WHEREAS the General Assembly of this Island stands prorogued until Monday
the 11th instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby
prorogued, until Thursday the 19th Day of December next—of which all Persons concerned
are required to take notice, and govern themselves accordingly.

Given under my hand, and the Great Seal of the Island, at Charlotte-Town, in the
said Island, this Fifth day of November, One Thousand Eight hundred and
Thirty-three, and in the Fourth year of His Majesty's Reign.

BY HIS EXCELLENCY'S COMMAND

J. P. COLLINS, Colonial Secretary.

GOD SAVE THE KING.

BY HIS EXCELLENCY
LIEUTENANT COLONEL

ARETAS WILLIAM YOUNG,

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

A. W. YOUNG,
Lt. Governor.

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

WHEREAS the General Assembly of this Island stands prorogued until Thursday
the 19th instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby
prorogued until Wednesday, the 5th day of February next, then to meet for the despatch of
Public Business—of which all persons concerned are required to take notice and govern
themselves accordingly.

Given under my hand, and the Great Seal of the Island, at Charlotte-Town, in the
said Island, this Sixteenth day of December, One Thousand Eight hundred and
Thirty-three, and in the Fourth year of His Majesty's Reign.

BY HIS EXCELLENCY'S COMMAND,

J. P. COLLINS, Colonial Secretary.

GOD SAVE THE KING.

JOURNAL

OF THE

LEGISLATIVE COUNCIL.

COUNCIL CHAMBER,

WEDNESDAY, February 5th, 1834.

In pursuance of the foregoing Proclamation, His Majesty's Council met.

PRESENT:

The Hon. *Chief Justice, Jarvis, President;*
The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
John S. Smith.

THE Honorables *John Brecken* and *J. S. Smith* having been appointed Councillors, took their seats at the Board accordingly.

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

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

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

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

I have assembled you in your Legislative capacity at as early a period of the year as circumstances would admit of—and I rely with confidence that, in the execution of the important duties which devolve upon you, the furtherance of the Public Good, and the advancement of the Colony, will be assiduously sought by you.

Since I last met you in General Assembly, I have received a Despatch transmitting two Orders in Council signifying His Majesty's Assent to several Acts passed in the year 1829, and I shall avail myself of an early moment to lay copies of them before you.

Under the Act of the Legislature of the last Session, I caused a Census of the Island to be taken, a copy of which I have directed to be laid before you; and it will be satisfactory to you to observe the steady increase of population that has taken place of nearly one third since the year 1827.

In my visit during the Summer of such parts of the Country as I could conveniently do, I was gratified in noticing the progressive improvement and comfort that appeared to prevail—and I anticipate with pleasure, at a future day, to see the good that will result to our Peasantry from a sober, steady, and persevering industry.

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

The Accounts of the past year shall be laid before you with little delay.

I regret to observe that the Revenue has not been so productive the last year as the preceding one; its fluctuation must necessarily be looked for, and that circumstance will, no doubt, have its influence with you, in making your Appropriations for the service of the present year.

I think it necessary to inform you, that owing to some unavoidable and unforeseen cause, a larger amount of work has been performed on the new Wharf in Charlotte-Town than was contemplated in the estimates of last year.

I shall desire the Papers to be laid before you, and recommend you to vote such further sum as, under the circumstances, you may think the Contractors entitled to.

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

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

Resume your official duties, and, guided by an impartial and honorable desire to the fulfilment of them, uphold the character of the Country, and your own credit.

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

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

Ordered, that the Honorables *Charles Worrell, John Brecken* and *J. S. Smith*, be a Committee to prepare a Draft pursuant to the above Resolution.

On motion, Ordered, that the Honorables *George Wright* and *Ambrose Lane* be a Committee to revise the Journals of this House each day.

On motion, Ordered, that the Honorables *Charles Worrell* and *J. S. Smith* be a Committee to examine into, and report upon such Laws as are near expiring.

On motion, Ordered, that the Rev. *Louis C. Jenkins* be appointed Chaplain, and that he be requested to attend the Council to-morrow at One o'clock, and each succeeding day during the Session, for the purpose of reading Prayers,

His Excellency the Lieutenant Governor requiring the personal attendance of *J. P. Collins, Esquire*, the Clerk of the Council, *Mr. John Ogle Nantes* was appointed to act as Clerk during the present Session, and having taken the Oath of Allegiance and also the Oath of Office, took his Seat accordingly.

Adjourned until 1 o'clock to-morrow.

THURSDAY, February 6th, 1834.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
John S. Smith.

Prayers.

READ the proceedings of yesterday.

The Hon. *Charles Worrell*, from the Committee appointed to prepare a draft of an Address in reply to His Excellency's Speech—

Reported that they had prepared a draft of the same, which being read by the Clerk, was agreed to by the House, ordered to be engrossed, and is as follows, viz :—

To His Excellency Lieutenant-Colonel ABETAS WILLIAM YOUNG Lieutenant-Governor, and Commander in Chief in and over His Majesty's Island Prince Edward, and its Dependencies, Chancellor, Vice-Admiral, and Ordinary of the same, &c. &c. &c.

The Humble Address of His Majesty's Council.

May it please your Excellency,

We His Majesty's dutiful and loyal Subjects, the Members of His Majesty's Council, in our Legislative capacity assembled, beg leave to thank your Excellency for your Speech, delivered at the opening of this Session of the Colonial Parliament.

OF PRINCE EDWARD ISLAND.

We also beg leave to assure your Excellency, that the advancement of the Public good will be the unceasing object of our deliberations.

We shall receive with satisfaction copies of the two Orders in Council alluded to by your Excellency.

We are much gratified to learn that the Population of the Island is so much on the increase; and the progressive improvement noticed by your Excellency in your visit to the country affords us much pleasure. We sincerely trust that your anticipations as to the prosperity of the Country and comfort of the People generally may be fully realized.

We further assure your Excellency, that in resuming our official duties, we shall be actuated by an impartial and honorable desire to uphold the character of the country and thereby our own credit.

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

Ordered, that a Committee consisting of the Honorables *Charles Worrell* and *John S. Smith* do wait upon His Excellency the Lieutenant Governor, to know at what time His Excellency will be pleased to receive the Address of this House.

The Hon. the *Chief Justice*, from the joint Committee of both Houses appointed to correspond with the Colony Agent, produced the Correspondence had subsequent to the last Session of the General Assembly—which was ordered to lie on the Table.

The Hon. *Charles Worrell*, from the Committee appointed to wait upon His Excellency the Lieutenant Governor to know at what time His Excellency will be pleased to receive the Address of this House—reported, that His Excellency had been pleased to say, that he would receive the Address at Government House, to-morrow, at 12 o'clock.

Adjourned until half past 11 o'clock to-morrow.

FRIDAY, February 7th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;
The Honorables { *George Wright*,
 Ambrose Lane,
 Charles Worrell,
 J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

The Council adjourned, to wait upon His Excellency with their Address.

The Council being again met, the President reported that the House had presented their Address, and that His Excellency had been pleased to return the following Answer, viz:—

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

Accept my best acknowledgments for your Address.

Your disposition to further the Public good, and advancement of the Colony, I was, from my previous knowledge of you, fully prepared to expect.

Adjourned until 1 o'clock to-morrow.

SATURDAY, February 8th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;
 The Honorables { *George Wright*,
 { *Ambrose Lane*,
 { *Charles Worrell*,
 { *John Brecken*,
 { *John S. Smith*.

Prayers.

READ the proceedings of yesterday.

The Hon. *John Brecken* moved, that the Minutes of the last Session, of the 3d April, relative to the Bill for the Relief of the American Loyal Emigrants and Disbanded Troops in this Colony, be read:

Ordered accordingly.

The said Minutes having been read by the Clerk,

The Hon. *John Brecken* then gave notice that he would, on a future day, move for leave to introduce a Bill for the said purpose.

Mr. Collins, by command of His Excellency the Lieut. Governor, laid before the Council Copies of the Census of this Island, taken under an Act of the last Session of the Legislature.

Ordered, that the said Copies do lie on the Table.

Adjourned until 1 o'clock on Monday.

MONDAY, February 10th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;
 The Honorables { *George Wright*,
 { *Charles Worrell*,
 { *John Brecken*.

Prayers.

READ the proceedings of Saturday.

Adjourned until 1 o'clock to-morrow.

TUESDAY, February 11th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;
 The Honorables { *George Wright*,
 { *Ambrose Lane*,
 { *Charles Worrell*,
 { *John Brecken*,
 { *John S. Smith*.

Prayers.

READ the proceedings of yesterday.

Adjourned until 1 o'clock to-morrow.

WEDNESDAY, February 12th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *Ambrose Lane,*
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. *Owen*, viz:—

“ In the HOUSE OF ASSEMBLY,
“ Wednesday, February 12, 1834.

“ *Resolved*, that a Message be sent to the Legislative Council, praying their Honors will permit the Hon. *John Brecken*, one of their Members, to attend the House of Assembly instanter, to be examined on the subject of the late Election for Charlotte-Town and Royalty.”

Ordered, that the Hon. *John Brecken* do have leave to attend as requested by the House of Assembly.

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

A Message from the House of Assembly, by Mr. *Hyndman*, viz:—

“ In the HOUSE OF ASSEMBLY,
“ Wednesday, February 12, 1834.

“ *Resolved*, that a Message be sent to the Legislative Council, praying their Honors will permit *John Rider*, their Messenger, to attend at the Bar of their House to be examined instanter, on the subject of the late Election for Charlotte-Town and Royalty.”

Ordered, that *John Rider*, Messenger to this House, do have leave to attend as requested by the House of Assembly.

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

Mr. Secretary *Collins*, by Command of His Excellency the Lieutenant Governor, laid before the House, Copies of two Orders of His Majesty in Council, which were read by the Clerk and are as follows, viz:—

[COPY.]

DOWNING STREET, 8th August, 1833.

SIR,

As there appears to be some reason to apprehend that Two Orders in Council, passed by His Majesty in Council, on the 7th December, 1829, and approving certain Acts of the Legislature of Prince Edward Island, have not reached the Colony, I have the honor to transmit herewith Copies of the same, in order that you may be apprized of the pleasure of His Majesty in Council, with respect to the Acts referred to in these Orders.

I have, &c.

(Signed)

E. G. STANLEY.

Lieutenant Governor Young, &c.

AT THE COURT AT WINDSOR, 7th DECEMBER, 1829.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY,
 HIS ROYAL HIGHNESS THE DUKE OF CLARENCE,
The Lord Chancellor, *Viscount Melville,*
The Lord Privy Seal, *Mr. Stratford Canning,*
Duke of Wellington, *Mr. Herries,*
The Lord Steward, *Sir George Murray.*
Earl of Aberdeen,

Whereas the Governor of His Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did pass an Act in the Month of March last, which hath been transmitted, intituled as follows, viz:—

“An Act intituled An Act to enable Tenants in Tail to execute Leases and grant terms of Years of a long endurance.”

Which Act having been referred to the Committee of the Lords of His Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, the said Lords of the Committee, have reported as their opinion to His Majesty, that the said Act should receive His Majesty's Royal confirmation, His Majesty was thereupon this day pleased, by and with the advice of His Privy Council, to declare His approbation of the said Act, whereof the Governor, Lieutenant Governor, or Commander in Chief of His Majesty's Island of Prince Edward for the time being, and all other persons whom it may concern, are to take notice and govern themselves accordingly.
 (Signed) C. GREVILLE.

AT THE COURT AT WINDSOR, 7th DECEMBER, 1829.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY,
 HIS ROYAL HIGHNESS THE DUKE OF CLARENCE,
The Lord Chancellor, *Viscount Melville,*
The Lord Privy Seal, *Mr. Stratford Canning,*
Duke of Wellington, *Mr. Herries,*
The Lord Steward, *Sir George Murray.*
Earl of Aberdeen,

Whereas, the Governor of His Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did pass Nineteen Acts, in the Months of March and April last, which Acts have been transmitted, intituled as follows, viz:—

“An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefited thereby to contribute towards their formation.”

“An Act for the Security of Navigation, and for preserving all Ships, Vessels and Goods, which may be found on Shore Wrecked or Stranded upon the Coasts of this Island, and for Punishing Persons who shall steal Shipwrecked Goods, and for the relief of persons suffering loss thereby.”

“An Act for keeping clean the Streets of Charlotte-Town, and for removing Obstructions therefrom.”

“An Act to amend an Act made and passed in the Ninth year of His present Majesty's Reign, intituled ‘An Act for Establishing the Standard Weight of Grain and Pulse, and for appointing proper Officers for Measuring and Weighing the same.’”

“An Act for the appointment of Limits and Rules for the Jail of Charlotte-Town.”

“An Act to alter and amend an Act, made and passed in the 31st year of the Reign of His late Majesty, intituled ‘An Act for compelling persons owning Lands adjoining each other to make their respective parts or proportion of the Fence between them, and for empowering the Grand Jury to nominate Fence Viewers.’”

“An Act for encouraging the Fisheries by granting Bounties.”

“An Act to regulate the size of Barrels and enforce the Inspection of such Pickled Fish as may be exported from Prince Edward Island.”

“An Act to regulate the Introduction of Passengers in Vessels arriving in this Island.”

“An Act for the Establishment of an Academy in Charlotte-Town.”

“An Act to amend an Act intituled An Act to render perpetual an Act intituled An Act to enable the Justices of the Supreme Court of Judicature to issue Commissions for examining Witnesses out of this Island.”

“An Act in further amendment of an Act made and passed in the Sixth year of the present King, intituled An Act to regulate the performance of Statute Labour on the Highways, and to suspend an Act made and passed in the Thirty-fifth year of the late King, intituled An Act to alter and amend the High Road Laws.”

“ An Act to indemnify the Treasurer of this Island, and all other persons concerned, in paying certain Monies on Warrants issued since the last Session of the General Assembly.”

“ An Act to continue an Act made and passed in the Eighth year of His present Majesty's Reign, intituled An Act to continue an Act made and passed in the Sixth year of His present Majesty's Reign, intituled An Act to revive, alter and continue an Act made and passed in the Fifty-second year of His late Majesty, intituled An Act for raising a Fund to make and keep in repair the Pumps, Wells, and Streets of Charlotte-Town, and for other purposes therein mentioned.”

“ An Act to continue and amend an Act made and passed in the Eighth year of His present Majesty, intituled an Act for raising a Fund in aid of supporting the Light-House on Cranberry Island.”

“ An Act to authorize the Lieutenant Governor or Commander in Chief for the time being, to appoint Commissioners to negotiate a Loan for the purpose of erecting a Government House, and a Building for an Academy.”

“ An Act to continue an Act made and passed in the Ninth year of His present Majesty, intituled An Act to continue and alter an Act made and passed in the Eighth year of His present Majesty, intituled An Act to revive, alter and continue an Act made and passed in the Sixth year of His present Majesty's Reign, intituled An Act for increasing the Revenue by levying a Duty on Tobacco and Tea, and to appropriate the Monies thereby granted.”

“ An Act to continue and amend an Act made and passed in the Ninth year of His present Majesty, intituled an Act to continue and alter an Act made and passed in the Eighth year of His present Majesty's Reign, intituled An Act to revive, alter and continue an Act passed in the Sixth year of His present Majesty's Reign, intituled An Act for increasing the Revenue by levying an additional Duty on all Wines, Gin, Brandy, Rum, and other Distilled Spirituous Liquors imported into this Island, and to repeal and amend certain parts of an Act passed in the Twenty-fifth year of His late Majesty's Reign, intituled An Act to amend, render more effectual and reduce into one Act, the several Laws made by the General Assembly of this Island, relative to the Duties of Impost on Wines, Rum, Brandy, and other Distilled Spirituous Liquors exported from this Island, and to appropriate the Monies hereby granted.”

“ An Act for appropriating certain Monies therein mentioned.”

Which Acts having been referred to the Committee of the Lords of His Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, the said Lords of the Committee have reported as their opinion to His Majesty, that the said Acts should be left to their operation; His Majesty was thereupon this day pleased, by and with the advice of His Privy Council, to approve of the said Report, whereof the Governor, Lieutenant Governor or Commander in Chief of His Majesty's Island Prince Edward, for the time being, and all other Persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

C. GREVILLE.

Ordered, that the said Orders do lie on the Table.

Adjourned until 1 o'clock to-morrow.

THURSDAY, February 13th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

The Hon. *Charles Worrell*, gave notice that he would, on Thursday next, move for leave to introduce a Bill to repeal an Act intituled “ An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefited thereby to contribute towards their formation.”

Also, an Act to explain and amend the said Act, and to make further and other provisions in lieu thereof.

Adjourned until 1 o'clock to-morrow.

FRIDAY, February 14th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *Ambrose Lane,*
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. *Brenan*, with a Bill intituled "An Act to explain an Act made and passed in the Eleventh year of the late King, intituled An Act to require Clergymen and others authorized to solemnize Marriages, to return Certificates thereof to the Surrogate of the Island, and to require Clergymen to keep a Record of Baptisms, so far as the same may affect the Celebration of Marriages by the Clergy of the Church of Rome"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

Ordered, that the said Bill do stand as the Order of the Day for Monday next.

Adjourned until 1 o'clock to-morrow.

SATURDAY, February 15th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *Ambrose Lane,*
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

Adjourned until 1 o'clock on Monday.

MONDAY, February 17th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of Saturday.

Pursuant to the Order of the Day, the Bill intituled "An Act to explain an Act made and passed in the Eleventh year of the Reign of the

“late King intituled An Act to require Clergymen and others authorized to solemnize Marriages, to return Certificates thereof to the Surrogate of the Island, and to require Clergymen to keep a Record of Baptisms, so far as the same may affect the Celebration of Marriages by the Clergy of the Church of Rome,” was read a second time.

On motion, the House resolved itself into a Committee of the whole on the said Bill;

And after some time spent therein, the President reported progress.

Ordered, that the Report of the Committee be received.

Adjourned until 1 o'clock to-morrow.

TUESDAY, February 18th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
Fade Goff,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. Owen, viz:—

“*Mr. President,*

“The House of Assembly desire a Conference with the Legislative Council on the Public Accounts, and have appointed Mr. Owen, Mr. Hyndman, Mr. Dalrymple, Mr. Binns, and Mr. Angus Macdonald a Committee to manage the said Conference.

“House of Assembly, February 18th, 1834.”

Ordered, that the said Conference be agreed to.

Ordered, that the Honorables *George Wright* and *Ambrose Lane* be a Committee to manage the same, to meet the Committee of the House of Assembly in the Committee-Room to-morrow, at Two o'clock.

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

Adjourned until 1 o'clock to-morrow.

WEDNESDAY, February 19th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
Fade Goff,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

The Hon. *George Wright* from the Committee appointed to confer with the Committee of the House of Assembly on the Public Accounts, reported the substance thereof.

THURSDAY, February 20th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

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

A Bill intituled “An Act for the Summary Trial of Common Assaults and “Batteries.”

“A Bill intituled “An Act relating to Costs in cases of Penalties recoverable “before Justices of the Peace.”

Read the said Bills a first time.

In pursuance to notice given, the Hon. *C. Worrell* moved for leave to bring in a Bill to repeal an Act intituled “An Act to regulate the laying out and “altering of Highways, and to provide a mode of obtaining Compensation “for those who may thereby be injured, and to cause those who are benefitted “thereby to contribute towards their formation”—also, an Act to explain and amend the said Act,—and to make further and other provisions in lieu thereof.

Leave granted accordingly.

Read the said Bill a first time.

Ordered, that the said Bill do stand for a second reading to-morrow.

Adjourned until 1 o'clock to-morrow.

FRIDAY, February 21st, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
Fade Goff,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

On motion, the Bill intituled “An Act relating to Costs in cases of “Penalties recoverable before Justices of the Peace,” was read a second time.

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

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

Ordered, that the Order of the Day on the Bill to repeal an Act intituled "An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefitted thereby, to contribute towards their formation"—also, an Act to explain and amend the said Act,—and to make further and other provisions in lieu thereof,—be discharged, and that the said Bill do stand for Thursday next.

Adjourned until 1 o'clock to-morrow.

SATURDAY, February 22d, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Hon. *Ambrose Lane*.

Prayers.

Adjourned until 1 o'clock on Monday

MONDAY, February 24th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of Saturday.

On motion, the Bill intituled "An Act for the Summary Trial of Common Assaults and Batteries," was read a second time.

Adjourned until 1 o'clock to-morrow.

TUESDAY, February 25th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President.

The Honorables { *George Wright,*
Ambrose Lane,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

On motion, the House resolved itself into a Committee of the whole, on the Bill intituled "An Act for the Summary Trial of Common Assaults and Batteries"—

And after some time spent therein, the President reported that the Committee had agreed to the same, with the following Amendments, viz:—

Folio 6, line 10—After the word “therein,” insert “Provided also, that nothing herein contained shall authorize the Justices of the Peace aforesaid, to hear and determine any case of Assault or Battery in which any question shall arise as to the Title to any Lands, Tenements or Hereditaments, or any Interest therein, or accruing therefrom.”

Folio 11, line 4—After the word “Hands” insert the words “and Seals.”
Adjourned until 1 o'clock to-morrow.

WEDNESDAY, February, 26th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President.

The Honorables { *Ambrose Lane,*
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

There not being a Quorum,

Adjourned until 1 o'clock to-morrow.

THURSDAY, February 27th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President.

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

On motion, the Bill intituled “An Act for the Summary Trial of Common Assaults and Batteries”—was read a Third time, and passed, with the Amendments.

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

The Hon *Charles Worrell* moved for leave to withdraw the Bill to repeal an Act intituled “An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefitted thereby to contribute towards their formation”—also, an Act to explain and amend the said Act,—and to make further and other provisions in lieu thereof.

Leave granted.

The said Bill was withdrawn accordingly.

The Hon. *Charles Worrell* then moved for leave to introduce a Bill to amend Two certain Acts therein mentioned, relating to Compensation for laying out Highways—

Leave granted.

The said Bill was brought in accordingly.

Read the said Bill a first time.

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

Adjourned until 1 o'clock to-morrow.

FRIDAY, February 28th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables	{	<i>George Wright,</i>
		<i>Ambrose Lane,</i>
		<i>Charles Worrell,</i>
		<i>John Brecken,</i>
		<i>J. Spencer Smith.</i>

Prayers.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. *Solicitor General*, viz:—

“*Mr. President,*

“The House of Assembly desire a Conference with the Legislative Council on the first of their Amendments made to the Bill intituled “An Act for the Summary Trial of Common Assaults and Batteries,” and have appointed Mr. *Solicitor General*, Mr. *Owen*, Mr. *Brenan* and Mr. *Pope* a Committee to manage the said Conference.

“House of Assembly, February 28th, 1834.”

Also, with the following Bills, to which they desire the concurrence of the Legislative Council, viz:—

A Bill intituled “An Act to amend an Act made and passed in the Eleventh year of His late Majesty’s Reign, intituled An Act for the further Security and Recovery of Monies due to His Majesty upon Duties of Impost and Excise, and for regulating the Offices of Treasurer and Collector of Impost.”

A Bill intituled “An Act to extend the Jurisdiction of Justices of the Peace and Commissioners, in matters of Small Debt.”

Read the said two Bills a first time.

Ordered, that the Conference desired by the House of Assembly be agreed to, and that the Honorables *Ambrose Lane* and *John Brecken* be a Committee to manage the same, to meet the Committee of the Assembly in the Committee Room instanter.

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

Thereupon the Committee went to the Conference, and having returned,

Reported, that the Committee of the House of Assembly had informed them that the Assembly had not agreed to the first, and had agreed to the second of the Amendments made by the Council to the said Bill.

Ordered, that a further Conference be desired with the House of Assembly on the first of the said Amendments, and that the same Committee who managed the former Conference do manage this, to meet in the Committee Room instanter.

Ordered, that the Committee be instructed to acquaint the Committee of the House of Assembly, that the Council do not adhere to their first Amendment.

A Message from the House of Assembly, by Mr. Owen, viz:—

“*Mr. President,*

“The House of Assembly do agree to a further Conference as is desired by the Council on the first of the Amendments made by the Council to the Bill intituled “An Act for the Summary Trial of Common Assaults and Batteries,” and have appointed the same Committee who managed the former Conference to manage this Conference.

“House of Assembly, February 28th, 1834.”

Whereupon the Committee went to the Conference, and having returned, Reported the substance thereof.

Adjourned until 1 o'clock to-morrow.

SATURDAY, March 1st, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables	{	<i>Ambrose Lane,</i>
		<i>Charles Worrell,</i>
		<i>John Brecken,</i>
		<i>J. Spencer Smith.</i>

Prayers.

READ the proceedings of yesterday.

The Hon. *John Brecken* moved for leave to present a Petition from certain Inhabitants of Charlotte-Town, praying this House to take the Bill for extending the Summary Jurisdiction of Commissioners under the Small Debt Act, to Actions for sums not exceeding Ten Pounds, into their favourable consideration, and pass the same into a Law.

Leave being granted, the said Petition was presented accordingly.

Ordered, that the said Petition do lie on the Table.

On motion, the House resolved itself into a Committee of the whole, on the Bill intituled “An Act to explain an Act made and passed in the Eleventh year of “the Reign of the late King, intituled An Act to require Clergymen and others “authorized to solemnize Marriages, to return Certificates thereof to the Surrogate of the Island, and to require Clergymen to keep a Record of Baptisms,”—so “far as the same may affect the Celebration of Marriages by the Clergy of the “Church of Rome”—

And after some time spent therein,

The President reported, that the Committee had not agreed to the same.

Ordered, that the report of the Committee be received.

On motion, the Bill intituled “An Act to amend an Act made and passed in “the Eleventh year of His late Majesty’s Reign, intituled An Act for the “further Security and Recovery of Monies due to His Majesty upon Duties of “Impost and Excise, and for regulating the Offices of Treasurer and Collector “of Impost,” was read a second time.

Adjourned until 1 o'clock on Monday.

MONDAY, March 3d, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President.

The Honorables { *George Wright,*
Ambrose Lane,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of Saturday.

A Message from the House of Assembly, by Mr. *Solicitor General*, with a Bill intituled "An Act to enable the Supreme Court to give Costs in "cases of Certiorari"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

A Message from the House of Assembly, by Mr. *Green*, with a Bill intituled "An Act for regulating the Toll for the Manufacture of Oatmeal and Pearl "Barley, and to amend an Act ascertaining the Toll to be taken at Grist Mills"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

In pursuance to notice given, the Hon. *John Brecken* moved for leave to bring in a Bill for the relief of the American Loyal Emigrants and Disbanded Troops in this Colony.

Leave being granted, the said Bill was brought in accordingly.

Read the said Bill a first time.

Adjourned until 1 o'clock to-morrow.

TUESDAY, March 4th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
Fade Goff,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

The Order of the Day for the second reading of the Bill to amend two certain Acts therein mentioned, relating to Compensation for laying out Highways—being read,

The said Bill was read a second time accordingly.

On motion, the House resolved itself into a Committee of the whole on the said Bill;

And after some time spent therein, the President reported, that the Committee had agreed to the following Resolution thereon, viz:—

“RESOLVED, That it be recommended to the House, to appoint a Special Committee to report on the said Bill, with all convenient speed.”

Ordered, that the Report of the Committee be received.

Ordered, that the Honorables *George Wright*, *Charles Worrell*, and *John Brecken* be a Committee to report on the said Bill, with all convenient speed.

Adjourned until 1 o'clock to-morrow.

WEDNESDAY, March 5th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *Ambrose Lane*,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

The Hon. *Charles Worrell*, from the Committee appointed to examine into and report upon such Laws as are near expiring—

Reported as follows, viz:—

The Act of 10th Geo. 4th, Cap. 18, intituled “An Act to continue and amend an Act made and passed in the Eighth year of His present Majesty, intituled An Act for raising a Fund in aid of supporting the Light-House on Cranberry Island,” will expire the 5th day of March next.

The Act of 11th Geo. 4th, Cap. 3, intituled “An Act for the Establishment and Support of Schools, and to repeal the Acts heretofore passed for that purpose,” will expire on the last day of the present Session.

The Act of 11th Geo. 4th, Cap. 6, intituled “An Act to amend and suspend certain parts of an Act made and passed in the 54th year of His late Majesty’s Reign, intituled An Act for the better preventing Accidents by Fire, within Charlotte-Town and the Suburbs thereof,” will expire on the last day of the present Session.

The Act of 11th Geo. 4th, Cap 12, intituled “An Act to authorize the Conviction and Punishment, in a Summary way, of Persons committing Common Assaults and Batteries?”—and the Act of 2d William 4th, Cap. 16, intituled “An Act to amend and render more effectual an Act made and passed in the Eleventh year of the Reign of His late Majesty, intituled “An Act to authorize the Conviction and Punishment in a Summary way, of Persons committing Common Assaults and Batteries,” will expire on the last day of the present Session.

The Act of 1st William 4th, Cap. 12, intituled “An Act to alter an Act made and passed in the Tenth year of the late King, for regulating the size of Barrels, and the inspection of Pickled Fish,” will expire on the 12th day of May next.

The Act of 3d William 4th, Cap. 34, intituled “An Act to continue for one year an additional Duty imposed on Wines and Spirituous Liquors imported into this Island,” will expire on the 7th day of May next.

The Act of 3d William 4th, Cap. 35, intituled "An Act for continuing for one year an Ad-valorem Duty on all Goods, Wares and Merchandize, imported into this Island, with certain exceptions," will expire on the 7th day of May next.

The Act of 3d William 4th, Cap. 36, intituled "An Act for levying a Duty on Tobacco and Tea," will expire on the 7th day of May next.

The Act of 3d William 4th, Cap. 25, intituled "An Act to make more effectual provision for preventing the Spreading of Infectious Distempers within this Island, by establishing Boards of Health," will expire on the 6th day of April next.

Ordered, that the said Report do lie on the Table.

Adjourned until 1 o'clock to-morrow.

THURSDAY, March 6th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;
 The Honorables { *George Wright*,
 { *Ambrose Lane*,
 { *Charles Worrell*,
 { *John Brecken*,
 { *J. Spencer Smith*.

Prayers.

READ the proceedings of yesterday.

The Hon. *A. Lane* moved for leave to present a Petition from certain Inhabitants of Queen's County, setting forth—that they have learned with much regret that a Bill has lately passed the House of Assembly extending the Jurisdiction of Commissioners under the Small Debt Act to Ten Pounds—and praying that this House will be pleased to withhold their assent to the same.

Leave being granted, the said Petition was presented accordingly.

Ordered, that the said Petition do lie on the Table.

The Hon. *J. Spencer Smith* moved for leave to present a Petition from certain Inhabitants of Charlotte-Town and its vicinity, setting forth, that they have observed with regret that a Bill has recently been passed in the Lower House of Assembly, extending the Jurisdiction of Commissioners under the Small Debt Act to Ten Pounds, and praying that this House will be pleased to withhold their assent to the said Bill.

Leave being granted, the said Petition was presented accordingly.

Ordered, that the said Petition do lie on the Table.

A Message from the House of Assembly, by Mr. *Solicitor General*, with a Bill intituled "An Act for continuing the General Assembly in case of the Death or Demise of His Majesty, his Heirs and Successors"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

A Message from the House of Assembly, by Mr. *Brenan*, with a Bill intituled "An Act to consolidate and amend the Election Laws"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

The Hon. *George Wright*, from the Special Committee to whom was committed the Bill to amend two certain Acts therein mentioned, relating to Compensation for laying out Highways—

Reported, that they had gone through the Bill, and made several amendments thereto.

Ordered, that the said Bill, as reported, be now committed to a Committee of the whole House.

The House accordingly resolved itself into a Committee of the whole on the said Bill;

And after some time spent therein, the President reported progress.

Adjourned until 1 o'clock to-morrow.

FRIDAY, March 7th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;
 The Honorables { *George Wright*,
 { *Ambrose Lane*,
 { *Charles Worrell*,
 { *John Brecken*,
 { *J. Spencer Smith*.

Prayers.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. *Owen*, with a Bill intituled “An Act for the better Conveyance of the Mails in the Winter season”—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

On motion, the House resolved itself into a Committee of the whole, on the Bill to amend two certain Acts therein mentioned, relating to Compensation for laying out Highways;

And after some time spent therein,

The President reported, that the Committee had agreed to the same.

Ordered, that the report of the Committee be received.

Ordered, that the said Bill be engrossed, and that the Title be “An Act in further alteration and amendment of an Act made and passed in the Tenth year of the Reign of His late Majesty King George the Fourth, intituled ‘An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefitted thereby, to contribute towards their formation.’”

On motion, that the Bill intituled “An Act to amend an Act made and passed in the Eleventh year of His late Majesty’s Reign, intituled An Act for the further Security and Recovery of Monies due to His Majesty upon Duties of Impost and Excise, and for regulating the Offices of Treasurer and Collector of Impost,” be read a third time—the question was put thereon, and it passed in the negative.

On motion, the Bill intituled “An Act for continuing the General Assembly in case of the Death or Demise of His Majesty, his Heirs and Successors,” was read a second time.

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

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

On motion, the Bill intituled "An Act for regulating the Toll for the Manufacture of Oatmeal and Pearl Barley, and to amend an Act ascertaining the Toll to be taken at Grist Mills," was read a second time.

On motion, the House resolved itself into a Committee of the whole, on the said Bill.

And after some time spent therein, the President reported, that the Committee had agreed to the same, with the following Amendments, viz:—

Folio 2, line 7—Strike out the words "drying and."

Folio 5, first line—Strike out the words "or Bag or Bags, Cask or Casks in which the same" was delivered."

Ordered, that the Report of the Committee be received.

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

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

Adjourned until 1 o'clock to-morrow.

SATURDAY, March 8th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *Ambrose Lane,*
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

On motion, the Bill intituled "An Act to enable the Supreme Court to give Costs in cases of Certiorari," was read a second time.

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

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

Adjourned until 1 o'clock on Monday

MONDAY, March 10th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President.

The Honorables { *George Wright,*
Ambrose Lane,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of Saturday.

A Message from the House of Assembly, by Mr. *Compton*, with a Bill intituled "An Act for establishing the Size and Quality of Fish Barrels and

“Tierces, and for regulating the weight of Fish the same shall contain”—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

On motion, the Bill intituled “An Act for the better conveyance of the Mails in the Winter season,” was read a second time.

On motion, the House resolved itself into a Committee of the whole, on the said Bill;

And after some time spent therein, the President reported, that the Committee had agreed to the following Resolution thereon, viz:—

“RESOLVED, That it be recommended to the House, to desire a Conference with the Assembly on the said Bill.”

Ordered, that the Report of the Committee be received.

Adjourned until 1 o'clock to-morrow.

TUESDAY, March 11th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

On motion, the Bill intituled “An Act in further alteration and amendment of an Act made and passed in the Tenth year of the Reign of His late Majesty King George the Fourth, intituled An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefited thereby, to contribute towards their formation,” was re-committed.

And after some time spent therein, the President reported that the Committee had agreed to the same, with an Amendment.

Ordered, that the Report of the Committee be received, and that the said Amendment be engrossed.

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

On motion, that the said Bill do pass, the House divided:

CONTENTS.

The Chief Justice,
George Wright,
Ambrose Lane,
John Brecken,
J. Spencer Smith.

NON-CONTENT.

Charles Worrell.

So it passed in the affirmative.

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

The Hon. *Charles Worrell* having desired leave to enter his dissent before the Question was put, should it be carried in the affirmative, and leave having been granted, he entered his Protest accordingly, as follows, viz:—

DISSENTIENT.—*First*—Because an Enactment was moved for, but not seconded, in an amendment of the Act, to exempt Proprietors of Land from being assessed, in case the Jury should find, by their Verdict, that the Public were benefited in a less degree by the Road to be made, than the Proprietor through whose Land it is intended to be carried—and for the want of which Enactment, Proprietors will be subject to have Roads made at their expense for the Public, at the will of the Executive, when they are either not necessary, or should not be made at all, as was fully exemplified in the case of the last Assessment under the Road Compensation Act, when the Proprietors were assessed to the amount of Five Sixths of the whole Contribution Money, that it is Fifty Pounds per mile, and the Public only Ten Pounds per mile, which sum was found by the Jury to be paid under the Act for the formation of the Road, a grievance, as well as an oppression and injustice, against which, for the effectual security of Landed Property it is absolutely necessary to provide.

Second—The Proprietor has not the option given him, which it is submitted is reasonable he should have, of surrendering so much Land to the Crown, at the lowest upset price of other Crown Lands, to be vested in it for the purposes of the Act, as will amount to the sum the Proprietor has been assessed, in respect of the Road to be made.

CHARLES WORRELL.

On motion, the Bill intituled “An Act for the Relief of the American Loyal Emigrants and Disbanded Troops in this Colony,” was read a second time.

A Message from the House of Assembly, by Mr. *Owen*, with a Bill intituled “An Act for regulating the Toll for the Manufacture of Oatmeal and Pearl Barley, and to amend an Act ascertaining the Toll to be taken at Grist Mills” —agreed to, as amended by the Council.

Adjourned until 1 o'clock to-morrow.

WEDNESDAY, March 12th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President.

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

On motion, ordered, that a Conference be desired with the House of Assembly on the Bill intituled “An Act for the better conveyance of the Mails in the Winter Season.”

Ordered, that the Honorables *John Brecken* and *J. Spencer Smith* be a Committee to manage the same, to meet in the Committee-Room to-morrow, at 2 o'clock.

Adjourned until 1 o'clock to-morrow.

THURSDAY, March 13th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;
 The Honorables { *George Wright,*
 { *Ambrose Lane,*
 { *Charles Worrell,*
 { *John Brecken,*
 { *J. Spencer Smith.*

Prayers.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. *Owen*, viz:—

“*Mr. President,*

“The House of Assembly do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled “An Act for the better Conveyance of the Mails in the Winter Season,” and have appointed Mr. *Owen*, Mr. *Pope*, Mr. *Binns* and Mr. *Green* a Committee to manage the said Conference.

“House of Assembly, March 13th, 1834.”

The Hon. *John Brecken*, from the Committee appointed to confer with the Committee of the House of Assembly on the Bill intituled “An Act for the better Conveyance of the Mails in the Winter Season”—having gone to the Conference, and returned, reported the substance thereof.

On motion, the Bill intituled “An Act for establishing the Size and Quality of Fish Barrels and Tierces, and for regulating the Weight of Fish the same shall contain,” was read a second time.

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

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

On motion, Ordered, that there be a Call of the House on Saturday next, at 12 o'clock.

Adjourned until 1 o'clock to-morrow.

FRIDAY, March 14th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;
 The Honorables { *George Wright,*
 { *Ambrose Lane,*
 { *Charles Worrell,*
 { *John Brecken,*
 { *J. Spencer Smith.*

Prayers.

READ the proceedings of yesterday.

Adjourned until 12 o'clock to-morrow.

SATURDAY, March 15th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;
 The Honorables { *George Wright,*
 Ambrose Lane,
 Charles Worrell,
 Fade Goff,
 John Brecken,
 J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

According to order, the Names were called over.

On motion, that the Bill intituled "An Act to consolidate and amend the Election Laws," be read a second time—It was moved, as an amendment, that the said Bill be read a second time this day Three Months.

And the question being put on the Amendment, it passed in the affirmative; and Ordered accordingly.

On motion, that the Bill intituled "An Act to extend the Jurisdiction of Justices of the Peace, and Commissioners in matters of Small Debt," be read a second time;

It was moved, as an amendment, that the said Bill be read a second time this day Three Months;

And the Question being put on the Amendment, the House divided:

CONTENTS.

George Wright,
Ambrose Lane,
Fade Goff,
J. Spencer Smith.

NON-CONTENTS.

Charles Worrell,
John Brecken.

So it passed in the affirmative, and Ordered accordingly.

The Hon. *J. Spencer Smith* moved for leave to present, from John Hill, Esq. a Document signed by him, and purporting to contain certain objections to the passing of the Bill for the Relief of the American Loyal Emigrants and Disbanded Troops in this Colony—transmitted to be laid before the Legislative Council.

Leave being granted,

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

On motion, Ordered, that the said Document be printed in the Royal Gazette Newspaper.

On motion, the House resolved itself into a Committee of the whole, on the Bill for the Relief of the American Loyal Emigrants and Disbanded Troops in this Colony;

And after some time spent therein, the President reported that the Committee had agreed to the following Resolution thereon, viz:

RESOLVED, in consequence of a representation having been made that sufficient time has not elapsed to enable the Proprietors of Lands in this Island to transmit their objections to the Bill for the Relief of the American Loyal Emigrants and Disbanded Troops in this Colony—that it be recommended to the House further to postpone the consideration of the said Bill until the next Session of the Legislature."

Ordered, that the Report of the Committee be received.

Adjourned until 1 o'clock on Monday.

MONDAY, March 17th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;
 The Honorables { *Ambrose Lane,*
 Charles Worrell,
 John Brecken,
 J. Spencer Smith.

Prayers.

READ the proceedings of Saturday.
 Adjourned until 1 o'clock to-morrow.

TUESDAY, March 18th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President.
 The Honorables { *George Wright,*
 Ambrose Lane,
 Charles Worrell,
 John Brecken.

Adjourned until 1 o'clock to-morrow.

WEDNESDAY, March 19th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;
 The Honorables { *George Wright,*
 Ambrose Lane,
 Charles Worrell,
 John Brecken,
 J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

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

A Bill intituled "An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and for regulating the Duty of Surveyors."

A Bill intituled "An Act for continuing for one year an Act imposing an additional Duty on Wines and Spirituous Liquors."

A Bill intituled "An Act to continue for one year an Act levying a Duty on Tobacco and Tea."

A Bill intituled "An Act to continue an *Ad-valorem* Duty on all Goods, Wares and Merchandise imported into this Island, with certain exceptions."

A Bill intituled "An Act for levying a Light Duty on all Vessels clearing out at any of the Custom Houses of this Island."

A Bill intituled "An Act to suspend for one year a certain part of an Act passed in the Third year of His present Majesty's Reign, authorizing a further issue of Treasury Notes, to the amount of Five Thousand Pounds."

Also, with the following written Message, viz:—

"*Mr. President!*

"The House of Assembly desire a further Conference with the Legislative Council, on the subject matter of the last Conference, and have appointed the same Committee who managed the former Conference to manage this.

"House of Assembly, March 17th, 1834."

Read the said Six Bills a first time.

On motion—Ordered, that the Conference as desired by the Assembly, be agreed to, and that the same Committee who managed the former Conference do manage this, to meet the Committee of the Assembly in the Committee-Room instanter.

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

Thereupon the Committee went to the Conference, and having returned, reported the substance thereof.

On motion, the Bill intituled "An Act for the better Conveyance of the Mails in the Winter Season," was read a third time, and passed, and ordered to be sent down to the House of Assembly.

Adjourned until 1 o'clock to-morrow.

THURSDAY, March 20th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President.

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

On motion, the Bill intituled "An Act for continuing for one year an Act imposing an additional Duty on Wines and Spirituous Liquors," was read a second time.

On motion, the said Bill was read a third time, and passed; and ordered to be sent down to the House of Assembly.

On motion, the Bill intituled "An Act to continue for one year an Act levying a Duty on Tobacco and Tea," was read a second time.

On motion, the said Bill was read a third time, and passed; and ordered to be sent down to the House of Assembly.

On motion, the Bill intituled "An Act to continue an Ad-valorem Duty on all Goods, Wares, and Merchandise imported into this Island, with certain exceptions," was read a second time.

On motion, the Bill intituled "An Act for levying a Light Duty on all Vessels clearing out at any of the Custom-Houses of this Island," was read a second time.

On motion, the said Bill was read a third time, and passed; and ordered to be sent down to the House of Assembly.

On motion, the Bill intituled "An Act to suspend for one year a certain part of an Act passed in the Third year of His present Majesty's Reign, authorizing a further Issue of Treasury Notes to the amount of Five Thousand Pounds," was read a second time.

On motion, the said Bill was read a third time, and passed; and ordered to be sent down to the House of Assembly.

On motion—Ordered, that the Bill intituled "An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and for regulating the Duty of Surveyors," do stand as the Order of the Day for to-morrow.

Adjourned until 12 o'clock to-morrow.

FRIDAY, March 21st, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. *Solicitor General*, viz:

"In the HOUSE OF ASSEMBLY,

"Wednesday, March 19th, 1834.

"RESOLVED, That a Message be sent to the Legislative Council, praying their Honors will permit the Hon. *George Wright*, one of their Members, to attend the Special Committee of the House of Assembly, appointed to make inquiry into certain Encroachments made on the Streets of Charlotte-Town, to be examined touching the matter to them referred, on Friday next at 2 o'clock."

Ordered, that the Hon. *George Wright* do have leave to attend, as requested by the House of Assembly.

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

A Message from the House of Assembly, by Mr. *Dalrymp'e*, with a Bill intituled "An Act for the Encouragement of Education," to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

On motion, the Bill intituled "An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and for regulating the Duty of Surveyors," was read a second time.

On motion, the House resolved itself into a Committee of the whole, on the said Bill;

And after some time spent therein, the President reported, that the Committee had come to the following Resolution thereon, viz:—

"RESOLVED, That it be recommended to the House, to desire a Conference with the Assembly on the said Bill."

Ordered, that the Report of the Committee be received.

Ordered, that a Conference be desired with the House of Assembly on the said Bill, and that the Honorables *George Wright* and *Charles Worrell* be a Committee to manage the same, to meet in the Committee-Room instanter.

On motion, the Bill intituled "An Act to continue an Ad-valorem Duty on all Goods, Wares, and Merchandise imported into this Island, with certain exceptions," was read a third time, and passed; and ordered to be sent down to the House of Assembly.

A Message from the House of Assembly, by *Mr. Pope*, viz:—

"*Mr. President*,

"The House of Assembly do agree to the Conference, as desired by the Legislative Council, on the Bill for ascertaining and establishing the Boundary Lines of Counties and Townships, and for regulating the Duty of Surveyors—and have appointed *Mr. Pope*, *Mr. Owen*, *Mr. Binns* and *Mr. Nelson* a Committee to manage the same.

"House of Assembly, March 21st, 1834."

Also, with a Bill intituled "An Act for the better preventing Accidents by Fire within the Town of Charlotte-Town"—to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

The Committee appointed to confer with the Committee of the Assembly on the Bill intituled "An Act for ascertaining and establishing the Boundary Lines of Counties and Townships and for regulating the Duty of Surveyors"—having gone to the Conference, and returned, reported the substance thereof.

Adjourned until 12 o'clock to-morrow.

SATURDAY, March 22d, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *Ambrose Lane*,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

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

A Bill intituled "An Act authorizing Collectors of Impost to appoint Deputies."

A Bill intituled "An Act to regulate the Conveyance of the Mails by a Steam Vessel, and to repeal an Act formerly passed for that purpose."

A Bill intituled "An Act to repeal certain Acts therein mentioned."

Read the said Bills a first time.

On motion, the Bill intituled "An Act for the Encouragement of Education," was read a second time.

On motion, the House resolved itself into a Committee of the whole, on the said Bill;

And after some time spent therein, the President reported, that the Committee had agreed to the same, with the following Amendment, viz:—

Folio 2, line 1—Strike out from the word "And" to the word "aforesaid," in line 12, both words inclusive.

Ordered, that the report of the Committee be received.

On motion, the Bill intituled "An Act for the better preventing Accidents by Fire within the Town of Charlotte-Town," was read a second time.

On motion, the House resolved itself into a Committee of the whole, on the said Bill;

And after some time spent therein, the President reported progress.

On motion, the Bill intituled "An Act for the Encouragement of Education," was read a third time with the Amendment, and passed; and ordered to be sent down to the House of Assembly for their concurrence.

Adjourned until 12 o'clock on Monday.

MONDAY, March 24th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Honorable *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of Saturday.

On motion, the Bill intituled "An Act to authorize Collectors of Impost to appoint Deputies," was read a second time.

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

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

On motion, the Bill intituled "An Act to regulate the Conveyance of the Mails by a Steam Vessel, and to repeal an Act formerly passed for that purpose," was read a second time.

On motion, the said Bill was read a third time, and passed; and ordered to be sent down to the House of Assembly.

On motion, that the Bill intituled "An Act for the better preventing Accidents by Fire within the Town of Charlotte-Town," be re-committed—

The House accordingly resolved itself into a Committee of the whole, on the said Bill;

And after some time spent therein, the President reported progress.

On motion, the Bill intituled "An Act to repeal certain Acts therein mentioned," was read a second time.

Adjourned until 12 o'clock to-morrow.

TUESDAY, March 25th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President.

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

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

A Bill intituled "An Act for the appointment of Sheep Reeves, and to restrain Rams from being at large at improper Seasons, and to repeal the Acts formerly passed for that purpose."

A Bill intituled "An Act for the more effectual Punishment of Offenders by enabling the Supreme Court to add Hard Labour to the Sentence of Imprisonment."

A Bill intituled "An Act for the regulation of the Jails in King's and Prince Counties."

A Bill intituled "An Act for appropriating certain Monies therein mentioned for the Year of Our Lord One Thousand Eight Hundred and Thirty-four."

Also, with the following Bill, agreed to as amended by the Legislative Council, viz:—

A Bill intituled "An Act for the Encouragement of Education."

Read the foregoing first four Bills a first time.

The Hon. *A. Lane*, from the Committee appointed last Session to make certain Improvements and Alterations in the internal arrangement of the Council Chamber,

Reported as follows, viz:—

The Committee to whom it was referred to make such Improvements and Alterations in the internal arrangement of the Council Chamber, as they may deem proper and necessary,—Report that in consequence of the Hon. *T. H. Haviland* one of the Committee, having obtained leave of absence to proceed to England, the necessary articles for such improvements and alterations were to be procured by him and forwarded here, as by sending them from London they could be got at a much lower rate, and of a superior quality than could be procured either in Charlotte-Town or Halifax. That at the time this arrangement was made, it was fully expected that Mr. *Haviland* would have sent the articles, so as to have

the Council Chamber fitted up previous to the opening of the present Session—your Committee have not as yet heard from Mr. *Haviland* on the subject, therefore, no alteration (with the exception of Chairs) has, as yet, taken place, but as it is probable the necessary articles will arrive this Spring, your Committee trust that the contemplated arrangements will be made before the next meeting of the Legislature.

A. LANE.

Ordered, that the Report of the Committee be received, and do lie on the Table.

On motion, the House resolved itself into a Committee of the whole, on the Bill intituled "An Act for the better preventing Accidents by Fire within the "Town of Charlotte-Town."

And after some time spent therein, the President reported that the Committee had agreed to the same with the following Amendments, viz:—

Folio 20, line 11—After the word "and" insert the word "close."

Folio 21, line 3—After the word "put," insert the words "or if at a less distance, then the "Wall or Partition shall be well and securely protected with Sheet Iron "or Lead to the satisfaction of the Fire Wardens."

Folio 36, line 1—Strike out the words "and Streets."

Folio 50, line 1—Strike out the words "and Streets."

Ordered, that the Report of the Committee be received, and that the Amendments be engrossed.

On motion, the said Bill was read a third time, as amended.

On motion that the said Bill as amended do pass;

It was moved, as an Amendment, that the 25th Clause of the said Bill be disagreed to;

And the Question being put on the Amendment, the House divided:

CONTENTS.

George Wright,
Ambrose Lane.

NON-CONTENTS.

The Chief Justice,
Charles Worrell,
John Brecken,
J. Spencer Smith.

So it passed in the negative.

The Question being then put on the Original Motion, it passed in the affirmative.

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

Adjourned until 12 o'clock to-morrow.

WEDNESDAY, March 26th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President.

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken.

Prayers.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. *Solicitor General*, with the following Bill, to which they desire the concurrence of the Legislative Council, viz:—

A Bill intituled "An Act in further amendment of an Act passed in the Tenth year of His late Majesty's Reign, intituled An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefited thereby, to contribute towards their formation."

Read the said Bill a first time.

On motion, the Bill intituled "An Act for the more effectual Punishment of Offenders, by enabling the Supreme Court to add Hard Labour to the Sentence of Imprisonment," was read a second time.

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

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

On motion, the Bill intituled "An Act for the appointment of Sheep Reeves and to restrain Rams from being at large at improper Seasons, and to repeal the Acts formerly passed for that purpose," was read a second time.

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

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

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

"Mr. President,

"The House of Assembly desire a further Conference with the Legislative Council on the subject matter of the last Conference, and have appointed Mr. Pope, Mr. Binns, Mr. Nelson and Mr. Brenan a Committee to manage the same.

"House of Assembly, March 25th, 1834."

On motion—Ordered, that the further Conference as desired by the Assembly, on the subject matter of the last Conference, be agreed to; and that the same Committee who managed the former Conference do manage this, to meet the Committee of the Assembly in the Committee-Room instanter.

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

On motion, the Bill intituled "An Act for the regulation of the Jails in King's and Prince Counties," was read a second time.

On motion, the House resolved itself into a Committee of the whole, on the said Bill;

And after some time spent therein, the President reported, that the Committee had agreed to the same, with the following Amendments, viz:—

Folio 1, line 17—Strike out from the word "either" to the word "tried," both words inclusive, and insert the words "any County in this Island shall be sent to the Jail of the County in which the Offence is alleged to have been committed.

Folio 2, line 1—After the word "Cases," insert the words "after Trial."

Ordered, that the report of the Committee be received, and that the Amendments be engrossed.

On motion, the said Bill was read a third time, with the Amendments, and passed; and ordered to be sent down to the House of Assembly for their concurrence.

The Hon. George Wright, from the Committee appointed to meet the Committee of the House of Assembly on the subject matter of the last Conference, having gone to the Conference, and returned, reported the substance thereof.

On motion, the House resolved itself into a Committee of the whole, on the Bill intituled "An Act for ascertaining and establishing the Boundary Lines of Counties and Townships, and for regulating the Duty of Surveyors,"

And after some time spent therein,

The President reported, that the Committee had agreed to the same, with the following Amendments, viz:—

Folio 1, line 6—After the word “Counties,” insert the word “and.”

same line—Strike out the words “and subdivisions of Townships.”

Folio 4—After the last line insert “Provided nevertheless that the authority so vested in
“the said Commissioners shall not extend, or be construed to extend, to interfere
“with the Surveyor General in the discharge of his duty, in any thing relating
“to the Crown Lands.”

Folio 14, line 6—Strike out the word “Commissioners,” and insert the words “Surveyor
“General.”

line 13—Strike out the words “Commissioners or any two of them are,” and insert the
“words Surveyor General is.”

In the Title, line 3—After the word “Townships,” insert the words “and parts of Townships.”

line 4—After the word “Surveyors,” insert the words “and to repeal a certain
“Act therein mentioncd.”

Ordered, that the report of the Committee be received, and that the Amendments be engrossed.

On motion, the said Bill was read a third time with the Amendments, and passed; and ordered to be sent down to the House of Assembly for their concurrence.

On motion, the Bill intituled “An Act to repeal certain Acts therein
“mentioned,” was read a third time, and passed.

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

On motion, the Bill intituled “An Act for appropriating certain Monies
“therein mentioned for the year of Our Lord One Thousand Eight Hundred and
“Thirty-four,” was read a second time.

Adjourned until 11 o'clock to-morrow.

THURSDAY, March 27th, 1834.

The Council met pursuant to adjournment.

PRESENT:

The Hon. *Chief Justice Jarvis*, President;

The Honorables { *George Wright,*
Ambrose Lane,
Charles Worrell,
John Brecken,
J. Spencer Smith.

Prayers.

READ the proceedings of yesterday.

On motion, the Bill intituled “An Act in further amendment of an Act
“passed in the Tenth year of His late Majesty’s Reign, intituled An Act to regulate
“the laying out and altering of Highways, and to provide a mode of obtaining Com-
“pensation for those who may thereby be injured, and to cause those who are
“benefited thereby, to contribute towards their formation” was read a second
time:

On motion, the House resolved itself into a Committee of the whole, on the said
Bill;

And after some time spent therein, the President reported, that the Committee
had agreed to the following Resolution thereon, viz:—

“RESOLVED, That it be recommended to the House, to desire a Conference with the Assembly on the said Bill.”

Ordered, that the Report of the Committee be received.

Ordered, that a Conference be desired with the House of Assembly on the said Bill, and that the Honorables *Charles Worrell* and *J. Spencer Smith* be a Committee to manage the same, to meet in the Committee-Room instantler.

A Message from the House of Assembly, by *Mr. Solicitor General*, with a Bill intituled “An Act for the better preventing Accidents by Fire within the Town of Charlotte-Town”—agreed to, as amended by the Legislative Council.

Also,

“*Mr. President*,

“The House of Assembly do agree to a present Conference, as is desired by the Council, on the Bill intituled “An Act in further amendment of an Act passed in the Tenth year of His late Majesty’s Reign, intituled An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefited thereby to contribute towards their formation”—and have appointed *Mr. Solicitor General*, *Mr. Pope*, *Mr. Green* and *Mr. Owen* a Committee to manage the same.

“House of Assembly, March 27th, 1834.”

Thereupon the Committee went to the Conference, and having returned, reported the substance thereof.

On motion, the Bill intituled “An Act for appropriating certain Monies therein mentioned for the service of the year of Our Lord One thousand eight hundred and thirty-four,” was read a third time, and passed; and ordered to be sent down to the House of Assembly.

A Message from the House of Assembly, by *Mr. Solicitor General*, viz:—

“*Mr. President*,

“The House of Assembly desire a further Conference with the Legislative Council, on the subject matter of the last Conference, and have appointed the Committee who managed the former Conference to manage this.

“House of Assembly, March 27th, 1834.”

On motion—Ordered, that the further Conference, as desired by the Assembly, on the subject matter of the last Conference, be agreed to; and that the same Committee who managed the former Conference do manage this, to meet in the Committee-Room instantler.

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

Whereupon the Committee went to the Conference, and having returned, reported the substance thereof.

On motion—Ordered, that a Free Conference be desired with the Assembly on the Bill intituled “An Act in further amendment of an Act passed in the Tenth year of His late Majesty’s Reign, intituled An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefited thereby to contribute towards their formation”—and that the same Committee who managed the former Conference on the said Bill, do manage this, to meet in the Committee-Room instantler.

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

A Bill intituled “An Act for ascertaining and establishing the Boundary Lines of Counties and Townships and parts of Townships, and for the Duty of Surveyors, and to repeal a certain Act mentioned.”

A Bill intituled "An Act for the regulation of the Jails in King's and Prince Counties."

Also,

"Mr. President,

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

"House of Assembly, March 27th, 1834."

Thereupon the Committee went to the Free Conference, and having returned, reported the substance thereof.

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

"Mr. President,

"The House of Assembly desire a further Free Conference with the Council, on the subject matter of the last Free Conference, and have appointed the same Committee to be the Managers thereof.

"House of Assembly, March 27th, 1834."

On motion—Ordered, that the further Free Conference, as desired by the Assembly, on the subject matter of the last Free Conference, be agreed to; and that the same Committee who managed the former Free Conference do manage this—to meet the Committee of the House of Assembly in the Committee-Room instant.

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

Whereupon the Committee went to the Conference, and having returned, reported the substance thereof.

On motion, the Bill intituled "An Act in further amendment of an Act passed in the Tenth year of His late Majesty's Reign, intituled An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefited thereby to contribute towards their formation," was read a third time, and passed; and ordered to be sent down to the House of Assembly.

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

The House of Assembly, with their Speaker, having attended accordingly.

His Excellency was pleased to assent to the following Bills, intituled,

- I. *An Act for the Encouragement of Education.*
- II. *An Act for the Summary Trial of Common Assaults and Batteries.*
- III. *An Act for regulating the Toll for the Manufacture of Oatmeal and Pearl Barley, and to amend an Act ascertaining the Toll to be taken at Grist Mills.*
- IV. *An Act for establishing the Size and Quality of Fish Barrels and Tierces, and for regulating the weight of Fish the same shall contain.*
- V. *An Act for the appointment of Sheep Reeves, and to restrain Rams from being at large at improper Seasons, and to repeal the Acts formerly passed for that purpose.*
- VI. *An Act relating to Costs, in Cases of Penalties recoverable before Justices of the Peace.*
- VII. *An Act to enable the Supreme Court to give Costs in Cases of Certiorari.*
- VIII. *An Act for the more effectual Punishment of Offenders, by enabling the Supreme Court to add Hard Labour to the Sentence of Imprisonment.*
- IX. *An Act for the regulation of the Jails in King's and Prince Counties.*
- X. *An Act for the better preventing Accidents by Fire within the Town of Charlotte-Town.*
- XI. *An Act to repeal certain Acts therein mentioned.*
- XII. *An Act for continuing the General Assembly in case of the Death or Demise of His Majesty, his Heirs and Successors.*
- XIII. *An Act to regulate the Conveyance of the Mails by a Steam Vessel, and to repeal an Act formerly passed for that purpose.*

XIV. *An Act authorizing Collectors of Impost to appoint Deputies.*

XV. *An Act for ascertaining and establishing the Boundary Lines of Counties and Townships and parts of Townships, and for regulating the Duty of Surveyors, and to repeal a certain Act therein mentioned.*

XVI. *An Act in further amendment of an Act passed in the Tenth year of His late Majesty's Reign, intituled "An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining Compensation for those who may thereby be injured, and to cause those who are benefited thereby to contribute towards their formation."*

XVII. *An Act to suspend for one year a certain part of an Act passed in the Third year of His present Majesty's Reign, authorizing a further issue of Treasury Notes to the amount of Five Thousand Pounds.*

XVIII. *An Act for the better Conveyance of the Mails in the Winter Season.*

XIX. *An Act to continue an Ad-valorem Duty on all Goods, Wares, and Merchandise imported into this Island, with certain exceptions.*

XX. *An Act to continue for one year an Act levying a Duty on Tobacco and Tea.*

XXI. *An Act for continuing for one year an Act imposing an additional Duty on Wines and Spirituous Liquors.*

XXII. *An Act for levying a Light Duty on all Vessels clearing out at any of the Custom Houses in this Island.*

XXIII. *An Act for appropriating certain monies therein mentioned, for the service of the year of Our Lord One Thousand Eight Hundred and Thirty-four.*

His Excellency was then pleased to close the Session with the following Speech, viz:—

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

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

Having concluded your Legislative labours, it only remains for me to express my earnest hope that you carry with you to your retirement the pleasurable feeling of having faithfully discharged the duties that have been confided to you.

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

I thank you for the Supplies you have voted for the service of the year—their application to the purposes for which they have been entrusted to me, I shall conscientiously endeavour to fulfil.

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

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

With peculiar satisfaction I notice the continuance of your desire to promote the advancement of Education; it is a matter of such infinite consequence to the future prosperity of the Colony, that liberality in fostering this most important object cannot be too much encouraged.

In taking leave of you for the present Session, I would recommend to you to exert all the influence you may possess, by instilling into the minds of those in whose Districts you severally reside, the beneficial effects of moral and sober habits, essential to the general welfare, and also to themselves, as being the primary means of insuring, under the favour of Providence, health and happiness, and a reasonable hope of acquiring a competence for their declining years.

After which, the President of the Council, by His Excellency's command, declared the General Assembly to be prorogued until Wednesday the 7th day of May next.

God save the King.