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JOURNAL

OF THE

LEGISLATIVE COUNCIL

OF

PRINCE EDWARD ISLAND.

ANNO DECIMO NONO VICTORIÆ REGINÆ.

SECOND SESSION OF THE TWENTIETH GENERAL ASSEMBLY.



CHARLOTTETOWN:

JOHN INGS, PRINTER, ISLANDER OFFICE.

1856.





A PROCLAMATION

BY HIS EXCELLENCY
DOMINICK DALY, Esquire,

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

[L.S.]

D. DALY, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Tues-
day, the 5th day of June instant :

I have thought fit further to prorogue the said General Assembly, and the same
is hereby prorogued until TUESDAY, the seventeenth 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 at Charlottetown, in the said Island,
this fourth day of June, and in the year of our Lord one thousand eight
hundred and fifty-four, and in the eighteenth year of Her Majesty's reign.

By Command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN !

A PROCLAMATION

BY HIS EXCELLENCY
DOMINICK DALY, Esquire,

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

[L.S.]

D. DALY, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Tues-
day, the seventeenth day of July instant :

I have thought fit further to prorogue the said General Assembly, and the same
is hereby prorogued until TUESDAY, the twenty-eighth 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 this Island, at Charlottetown,
this thirteenth day of July, and in the year of our Lord one thousand
eight hundred and fifty-five, and in the nineteenth year of Her Majesty's
reign.

By Command,

GEORGE COLES, Colonial Secretary.

* GOD SAVE THE QUEEN !

A PROCLAMATION

BY HIS EXCELLENCY
DOMINICK DALY, Esquire,

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

[L.S.]

D. DALY, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Tues-
day, the 28th day of August instant :

I have thought fit further to prorogue the said General Assembly, and the same
is hereby further prorogued until **TUESDAY**, the 9th day of **OCTOBER** next,
of which all persons concerned are required to take notice and govern themselves
accordingly.

Given under my hand and the great seal of this Island, at Charlottetown,
this twenty-third day of August, in the year of our Lord one thousand
eight hundred and fifty-five, and in the nineteenth year of Her Majesty's
reign.

By command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN!

A PROCLAMATION

BY HIS EXCELLENCY
DOMINICK DALY, Esquire,

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

[L.S.]

D. DALY, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Tues-
day, the 9th day of October instant :

I have thought fit further to prorogue the said General Assembly, and the same
is hereby prorogued until **TUESDAY**, the 20th 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 this Island, at Charlottetown,
this sixth day of October, in the year of our Lord one thousand eight
hundred and fifty-five, and in the nineteenth year of Her Majesty's reign.

By command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN!

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

BY HIS EXCELLENCY

DOMINICK DALY, ESQUIRE,

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

D. DALY, Lieutenant Governor.

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

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until **TUESDAY**, the 1st day of **JANUARY**, 1856, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my hand and the great seal of this Island, at Charlottetown, this fifteenth day of November, in the year of our Lord one thousand eight hundred and fifty-five, and in the nineteenth year of Her Majesty's reign.

By Command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN!

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

BY HIS EXCELLENCY

DOMINICK DALY, ESQUIRE,

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

D. DALY, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Tuesday, the 1st day of January, 1856 :

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until **TUESDAY**, the 12th day of **FEBRUARY**, thence next ensuing, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my hand and the great seal of this Island, at Charlottetown, this twenty-sixth day of December, in the year of our Lord one thousand eight hundred and fifty-five, and in the nineteenth year of Her Majesty's reign.

By command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN!

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

BY HIS EXCELLENCY
DOMINICK DALY, Esquire,

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

D. DALY, Lieutenant Governor.

WHEREAS the General Assembly of this Island stands prorogued until Tuesday, the 12th day of February next:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until **THURSDAY**, the 14th day of **FEBRUARY** next, then to *meet for the dispatch of business*, of which all persons concerned are hereby required to take notice and govern themselves accordingly.

Given under my hand and the great seal of this Island, at Charlottetown, this seventeenth day of January, in the year of our Lord one thousand eight hundred and fifty-six, and in the nineteenth year of Her Majesty's reign.

By command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN!

JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF
PRINCE EDWARD ISLAND.

SECOND SESSION OF THE TWENTIETH GENERAL ASSEMBLY.

Thursday, 14th February, 1856.

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

PRESENT :

The Honorable *Mr. Young*, President;

The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Beaton</i> ,
<i>Mr. Haythorne</i> ,	<i>Mr. Attorney General</i> ,
<i>Mr. Dingwell</i> ,	<i>Mr. Walker</i> .

Mr. President acquainted the House that His Excellency the Lieutenant Governor had provisionally appointed John Wright, Esquire, by Warrant, bearing date the Fifteenth day of November, 1855, a Member of this House, who desires to be admitted.

Ordered, That Mr. Haythorne and Mr. Attorney General be a Committee to attend Mr. Wright, and see him qualified.

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

The Hon. Mr. Wright was then introduced, between Mr. Haythorne and Mr. Attorney General, and took his seat.

Mr. President acquainted the House that His Excellency the Lieutenant Governor had provisionally appointed George Bagnall, Esquire, by Warrant, bearing date the Fifteenth day of November, 1855, a Member of this House, who desires to be admitted.

Ordered, That Mr. Haythorne and Mr. Attorney General be a Committee to attend Mr. Bagnall, and see him qualified.

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

The Hon. Mr. Bagnall was then introduced between Mr. Haythorne and Mr. Attorney General, and took his seat.

The House adjourned during pleasure.

After some time, the House formed.

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

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

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly :

I have called you together at the period which experience has shown to be most convenient for the ordinary course of the public business.

Under the blessing of Divine Providence, the late harvest has proved abundant, and will, no doubt, stimulate those engaged in agricultural pursuits, to perseverance in the habits of industry and order, which have marked their course during the past year, and which cannot fail to produce the happiest results.

I am happy to be enabled to inform you that the decrease which I anticipated in the Revenue of the past year is unimportant, and that in this slight fluctuation, which may be easily accounted for, there is nothing to apprehend for the stability and soundness of the resources of the Island, the Revenue being more than equal to the ordinary expenditure.

Mr. Speaker and Gentlemen of the House of Assembly :

The Public Accounts shall be submitted to you as speedily as practicable, and I rely upon your readiness to make provision for the efficient support of the public service.

The Laws for the collection of the Revenue, as well as for its protection from the baneful effects of illicit traffic, appear to me to be liable to serious objections; to remedy which, their careful revision and consolidation has become necessary; and in directing your attention to this important branch of the public service, I cannot doubt that it will receive all the consideration which the extended commercial relations and increasing importance of the trade of this Island demand

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

I feel assured that the interest you have manifested in the events of the War is undiminished, and that, although exempted from the great sacrifices which it entails, you are not the less solicitous for its early and satisfactory termination.

The Act of the last Session "to impose a rate or duty on the Rent Rolls of the Proprietors of certain rented Township Lands in this Island," and also the "Act to secure compensation to Tenants," have not received Her Majesty's confirmation.

The grounds upon which the decision of Her Majesty's Government regarding those measures is founded, shall be communicated to you.

I am happy to inform you that the transactions respecting the sale of Public Lands, which will, in due course, be submitted to you, have, in their progress, fully justified the expectations formed of the effects to be derived from the Land Purchase Bill, in the desired conversion of Leaseholders into independent Freeholders, advantages which are only limited by the small amount placed by that measure at the disposal of the Government.

The great advantages, moral and social, which are derived from the constant extension of Free Education, are appreciated to a very gratifying extent, as the rapidly increasing number of schools, already amounting to 268, and attended by above 11,000 pupils, fully testifies.

The agricultural portion of the community continue to derive substantial benefits from the operations of the Royal Agricultural Society, whose judicious importations supply those necessary articles, which could not be rendered available by unassisted private enterprise.

Closely bound up with the success of Agriculture and Trade, is the state of the Island communication with the neighboring Colonies; and no more judicious application of the public resources can be devised than such as may be required to render this communication more secure, as well as frequent and expeditious. Any expenditure with this very important object, cannot fail to be repaid by the increased benefits which it will confer on every class of the community.

These, and all other objects affecting the public interests, will, I doubt not, receive your fostering care and attention; and you may always rely upon my cordial co-operation, in every well directed effort, to promote the welfare of the people and the prosperity of Prince Edward Island.

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

Prayers were then read.

Mr. President reported His Excellency's Speech, which, being read by the Clerk—

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

Ordered, That Mr. Haythorne, Mr. Dingwell, and Mr. Attorney General, be a Committee to prepare a Draft, pursuant to the above Resolution.

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

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

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

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

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

Ordered, That Mr. Swabey and Mr. Beaton do compose the said Committee.

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

Ordered, That Mr. Haythorne and Mr. Walker do compose the said Committee.

Ordered, That Eighty copies of the Journals of this House be furnished by the Printer.

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

Resolved, That a Committee be appointed to receive Tenders for printing the Journals of this House for the present Session, and to report thereon to the House.

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

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

Friday, 15th February, 1856.

PRESENT :

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Bagnall*,

Mr. Dingwell,

PRAYERS.

There not being a Quorum.

Adjourned until Monday next, at One o'clock.

LEGISLATIVE COUNCIL.

Monday, 18th February, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Walker</i> .
<i>Mr. Dingwell</i> ,	<i>Mr. Craswell</i> ,
<i>Mr. Beaton</i> ,	<i>Mr. Wright</i> ,
<i>Mr. Attorney General</i> ,	<i>Mr. Bagnall</i> .

PRAYERS.

Read the proceedings of Thursday last.

Mr. Attorney General, from the Committee appointed to receive Tenders for printing the Journals of this House of the present Session, reported, that the Committee had received three Tenders, which are as follow, viz :—

One from Messrs. *Haszard & Owen*, engaging to perform the work for Eighteen Shillings per sheet of four pages, and to bind the same at the rate of Three Shillings and Sixpence per copy.

One from *Mr. John Walsh*, engaging to perform the work for Twenty Shillings for every sheet of four pages; binding each copy, Three Shillings and Nine-pence and stitching each copy, One Shilling and Three-pence.

One from *Mr. John Ings*, engaging to perform the work for Seventeen Shillings and Three-pence per sheet of four pages; and for binding each copy, the sum of Three Shillings and Four-pence.

Which latter Tender, being the lowest, the House adopted.

Mr. Swabey, from the Committee appointed in the last Session to make arrangements for the efficient reporting and publication of the proceedings and debates of this House, reported, that the Committee had engaged the services of *William Minns Howe*, Esquire, as a Reporter, on certain conditions.

Ordered, That the Report of the Committee be received.

Ordered, That *William Minns Howe*, Esquire, be appointed Reporter to this House, for the present Session.

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

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

The House was accordingly adjourned during pleasure, and put into a Committee on the said Address. After some time, the House was resumed, and Mr. Swabey reported that the Committee had gone through the Address, and had agreed to the same, with several amendments.

Ordered, That the Report of the Committee be received.

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

Ordered, That the said Address be engrossed.

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

Tuesday, 19th February, 1856.

The Council met, pursuant to adjournment.

PRESENT :

<i>The Honorable Mr. Young</i> , President;	
<i>The Hon. Mr. Swabey</i> ,	<i>The Hon. Mr. Walker</i> ,
<i>Mr. Haythorne</i> ,	<i>Mr. Craswell</i> ,
<i>Mr. Dingwell</i> ,	<i>Mr. Wright</i> ,
<i>Mr. Beaton</i> ,	<i>Mr. Bagnall</i> .
<i>Mr. Attorney General</i> ,	

PRAYERS.

Read the proceedings of yesterday.

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

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

May it please your Excellency;

We, the Members of Her Majesty's Legislative Council of Prince Edward Island, beg to offer to your Excellency our thanks for your Speech at the opening of the present Session.

We are grateful to Divine Providence for the blessing of an abundant harvest, and are happy to learn that the anticipated decrease in the Revenue of the past year is unimportant.

We assure your Excellency that we take a lively interest in the events of the war, and rejoice at the successes, which, under the blessing of Providence, have attended the Allied Arms, which, we trust, will lead to the re-establishment of peace upon a firm, honorable, and satisfactory basis.

When the grounds upon which the decision of Her Majesty's Government relative to the Act of the last Session "to impose a rate or duty on the Rent Rolls of the proprietors of certain rented Township Lands in this Island," and also the "Act to secure compensation to Tenants," shall be communicated to us by your Excellency, they shall receive due consideration.

We are gratified to be informed by your Excellency that the expectations formed of the advantages to be derived from the Land Purchase Bill have been fully realised, and trust that the government may be enabled to extend to all parts of the Island the benefits of that measure.

We fully appreciate the advantages of free Education, and have no doubt that the constant extension of that admirable system which has been brought to our notice by your Excellency, will be productive of great benefits to the Inhabitants of this Island, and promote their social happiness.

We are happy to learn from your Excellency that the operations of the Royal Agricultural Society have been satisfactory and beneficial to the agricultural community, and that their importations have been judiciously made.

We heartily concur with your Excellency as to the importance of rendering the communication between this Island and the neighbouring Provinces secure and expeditious, and will give to any measures which may be submitted to us for the promotion of that or any other object affecting the public interests, our careful and serious attention.

We thank your Excellency for the assurance of co-operation in every well-directed effort to promote the welfare and prosperity of Prince Edward Island; and we beg to express our full confidence in your Excellency's administration of its government.

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

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

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

Wednesday, 20th February, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable <i>Mr. Young</i> , President ;	
The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Walker</i> .
<i>Mr. Haythorne</i> ,	<i>Mr. Craswell</i> ,
<i>Mr. Dingwell</i> ,	<i>Mr. Wright</i> ,
<i>Mr. Beaton</i> ,	<i>Mr. Bagnall</i> .
<i>Mr. Attorney General</i> ,	

PRAYERS.

Read the proceedings of yesterday.

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

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

“I beg you to accept my best thanks for your Address, and for the assurances of co-operation and confidence which it conveys to me, and upon which I place the fullest reliance.”

Mr. Attorney General presented to the House a Bill for preventing Fraud by secret Bills of Sale of personal chattels, and the same was read a first time.

The Hon. Mr. Swabey, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House the Accounts of the Colonial Treasurer for the year ended 31st January, 1856.

Also,

The Public Accounts for the past year, as arranged and classified by the Auditors.

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

Adjourned until Friday next, at One o'clock.

Friday, 22d February, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Attorney General*,

Mr. Haythorne,

Mr. Walker,

Mr. Dingwell,

Mr. Craswell,

Mr. Beaton,

Mr. Wright.

PRAYERS.

Read the proceedings of Wednesday last.

A Message from the House of Assembly, by the Hon. Colonial Secretary, with a Bill intituled "An Act to continue the Act for the regulation of the Mackerel Fishery," to which they desire the concurrence of the Legislative Council.

Also, with the following written Message:—

"House of Assembly, 14th February, 1856.

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

"Ordered, That the Hon. Colonial Secretary, Hon. Mr. Wightman, Mr. Dingwell, Mr. H. Haviland, the Hon. Mr. Longworth, and Mr. Clark, do compose the said Committee.

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

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

Ordered, That Mr. Swabey, Mr. Haythorne and Mr. Walker, do compose the said Committee.

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

The Bill intituled "An Act to continue the Act for the regulation of the Mackerel Fishery," was read a first time.

The Hon. Mr. Attorney General, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House the following Documents, for the information of the Legislative Council, viz :—

Extract of a Despatch from Secretary Sir George Grey, of the 17th November, 1855.

Copy of a Letter from Mr. Robert Bruce Stewart, to Lord John Russell, praying that the Royal Assent may be withheld from certain Bills passed last Session of the Legislature, dated the 19th May, 1855.

Copy of Memorial and Petition of certain Proprietors to Lord John Russell, against "Rent Roll Bill" and "Tenants' Compensation Act," dated 4th June, 1855.

Copy of Petition and Remonstrance of certain Proprietors and Agents of Land in Prince Edward Island, to the Queen, against "Act to impose a Rate on Rent Roll of Proprietors," &c., dated the 4th June, 1855.

Copy of Petition and Remonstrance of certain Proprietors and Agents of Land in Prince Edward Island to the Queen, against 'Tenants' Compensation Act,' dated 19th June, 1855.

Copy of Petition of certain Owners of Township Lands against "Rent Roll Bill and Tenants' Compensation Act," to Sir William Molesworth, dated the 27th August, 1855.

Extract from Minutes of Executive Council, dated 27th August, 1855, in reference to the last-mentioned Petition.

Ordered, That the same do lie on the Table.

(See *Appendix No. 1.*)

Adjourned until Monday next, at One o'clock.

Monday, 25th February, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Walker*,

Mr. Haythorne,

Mr. Craswell,

Mr. Dingwell,

Mr. Wright,

Mr. Beaton,

Mr. Bagnall.

Mr. Attorney General,

PRAYERS.

Read the proceedings of Friday last.

The Hon. Mr. Attorney General, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House copy of a Despatch from the Secretary of State, dated 21st December, 1855, No. 3, referring to the Correspondence which has taken place, with regard to the two Acts of the Legislature of Prince Edward Island to which Her Majesty's Government were unable to advise Her Majesty to give her assent.

(See *Appendix No. 2.*)

Ordered, That the same do lie on the Table.

The Hon. Mr. Swabey, a Member of Her Majesty's Executive Council, by command of His Excellency, the Lieutenant Governor, laid before the House the proceedings and Accounts connected with the Worrell Estate, under the Land Purchase Bill.

(See *Appendix No. 3.*)

Ordered, That the same do lie on the Table.

The Bill for preventing Fraud, by secret Bills of Sale of personal Chattels, was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Swabey reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

The Bill intituled "An Act to continue the Act for the regulation of the Mackerel Fishery," was read a second time.

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

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

Tuesday, 26th February, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable <i>Mr. Young</i> , President ;	
The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Walker</i> .
<i>Mr. Haythorne</i> ,	<i>Mr. Craswell</i> ,
<i>Mr. Dingwell</i> ,	<i>Mr. Wright</i> ,
<i>Mr. Beaton</i> ,	<i>Mr. Bagnall</i> .
<i>Mr. Attorney General</i> ,	

PRAYERS.

Read the proceedings of yesterday.

A Message from the House of Assembly, by the Hon. Colonial Secretary, with a Bill intituled "An Act to amend the Law in this Island as to Ejectments and Distresses, and as to the occupation of Lands," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

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

A Petition of D. B. Stevens, Agent for the New York, Newfoundland and London Telegraph Company, praying that this House will sanction an annual Grant by the House of Assembly, to aid the laying down of the Sub-marine Cable across Northumberland Strait.

A Petition of divers Inhabitants of Township Number Seventeen.

A Petition of divers Inhabitants of Township Number Fourteen.

A Petition of divers Inhabitants of Sea Cow Pond, Township Number One,—severally praying aid to improve their Road communications.

A Petition of divers Inhabitants of Miminigash, Skinner's Pond and Nail Pond, praying for the establishment of a Post Office in that District.

A Petition of Louis Arseneaux, of Township Number Five, Ferryman, praying remuneration for ferrying the Mail Carrier twice in each week, during the past season.

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

Mr. Beaton, by leave, presented a Petition of Michael Mackinnon, and others, styling themselves Subscribers to the Little Harbor School on Township Number Forty-six, praying that this House will sanction the Grant of an allowance to Matthew Revell, for his services as an unlicensed Teacher in that district.

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

Pursuant to order, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act to continue the Act for the regulation of the Mackerel Fishery." After some time, the House was resumed, and Mr. Swabey reported that the Committee had gone through the Bill, and had agreed to the same without any amendment.

Ordered, That the Report of the Committee be received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

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

Wednesday, 27th February, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President;

The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Walker</i> ,
<i>Mr. Haythorne</i> ,	<i>Mr. Craswell</i> ,
<i>Mr. Dingwell</i> ,	<i>Mr. Wright</i> ,
<i>Mr. Beaton</i> ,	<i>Mr. Bagnall</i> .
<i>Mr. Attorney General</i> ,	

PRAYERS.

Read the proceedings of yesterday.

A Message from the House of Assembly, by the Hon. Colonial Secretary, with a Bill intituled "An Act to protect Justices of the Peace from vexatious actions," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

The Hon. Mr. Attorney General, a Member of Her Majesty's Executive Council, by command of His Excellency, the Lieutenant Governor, laid before the House, copy of the Estimates for the services of the current year.

Ordered, That the same do lie on the Table.

Ordered, That Mr. Dingwell have leave to absent himself until after the rising of the Supreme Court in the ensuing term in King's County.

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

Thursday, 28th February, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable <i>Mr. Young</i> , President;	
The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Craswell</i> ,
<i>Mr. Haythorne</i> ,	<i>Mr. Wright</i> ,
<i>Mr. Attorney General</i> ,	<i>Mr. Bagnall</i> .
<i>Mr. Walker</i> ,	

PRAYERS.

Read the proceedings of yesterday.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill for preventing Fraud, by secret Bills of Sale of personal Chattels. After some time, the House was resumed, and Mr. Swabey reported that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

A Message from the House of Assembly, by Mr. Clark, with a Bill intituled "An Act to repeal the Act relating to Light and Anchorage Duties, and to make other provisions in lieu thereof," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill for preventing Fraud, by secret Bills of Sale of personal Chattels. After some time, the House was resumed, and Mr. Swabey reported that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

The Bill intituled "An Act to protect Justices of the Peace from vexatious Actions," was read a second time.

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

Ordered, That the Report of the Committee be received.

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

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

A Petition of George Bennet, Frederick Cannon, and others, resident householders at St. Eleanor's, whose names are thereunto subscribed, setting forth that in consequence of the proceedings on the part of a majority of the Trustees of their District School, Petitioners, as supporters of said School, have been deprived of an efficient Second Class Teacher, and have been, therefore, under the necessity of engaging his services by private subscription, and praying that this House will sanction the grant of a sum of money to aid them in making up the Teacher's salary.

A Petition of John Le Page, Third Master in the Central Academy, praying that this House will concur with the House of Assembly in granting him an increased allowance for his services.

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

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

A Petition of James Gillenders, praying remuneration for his services as a Teacher at Tignish and Cambelton, during the past year,

A Petition of James Gillanders, praying that this House will concur with the House of Assembly in granting him a retiring allowance as a Teacher, in consequence of age and infirmity.

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

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

Friday, 29th February, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. *Mr. Swabey*, The Hon. *Mr. Craswell*,

Mr. Haythorne, *Mr. Wright*.

Mr. Attorney General, *Mr. Bagnall*.

Mr. Walker,

PRAYERS.

Read the proceedings of yesterday.

Mr. Wright, by leave, presented a Petition of divers Inhabitants of Townships Numbers One and Two, praying aid towards the erection of a Bridge over Black Pond, Miminegash.

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

Pursuant to order, the Bill intituled "An Act to protect Justices of the Peace from vexatious actions," was read a third time.

Resolved, That the said Bill do pass.

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

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

A Petition of divers Inhabitants of Cross Rivers, Township Number Fourteen, praying aid to improve a Road in that District.

A Petition of Mary Ann Murphy, praying that this House will sanction the grant of an allowance for her services as a Teacher for six months at Township Number Fourteen.

A Petition of John Mackinnon, of Charlottetown, praying relief from liabilities incurred by him as a Preventive Officer at Charlottetown, in the case of the Schooner "Dragonet," seized last Summer, and restored to the owner.

A Petition of James Ferguson, and others, of Saint Peter's Road, Township Number Thirty-four, praying an alteration of a line of Road in that District.

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

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

A Petition of Noel Louis, Peter Louis, Noel Mitchell and Michael Mitchell, Micmac Indians, in destitute circumstances, praying relief.

A Petition of Ewen Macleod, Keeper of the Light House at Point Prim, praying that this House will concur with the House of Assembly in an increase of his yearly allowance, to enable him to procure the services of an Assistant.

A Petition of divers Inhabitants of Grand River, Township Number Fifty-five, praying aid to improve their Road communications.

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

A Message from the House of Assembly, by Mr. Clark, with a Bill intituled "An Act to continue the Act relating to the laying down, erection and maintenance of Buoys and Beacons in this Island," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

The Bill intituled "An Act to repeal the Act relating to Light and Anchorage Duties, and to make other provisions in lieu thereof," was read a second time.

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

Ordered, That the Report of the Committee be received.

Ordered, That the said Bill be read a third time on Monday next.

The Bill intituled "An Act to amend the Law in this Island as to Ejectments and Distresses, and as to the occupation of Lands," was read a second time.

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

Ordered, That the Report of the Committee be received.

Ordered, That the said Bill be read a third time on Monday next.

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

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

The Act of 8th Victoriæ, cap. 20, intituled "An Act for the regulation of the Mackerel Fishery," will expire at the end of the present Session.

The Act of 15th Victoriæ, cap. 27, intituled "An Act relating to Light and Anchorage Duties," will expire at the end of the present Session.

The Act of 15th Victoriæ, cap. 30, intituled "An Act relating to the weighing of Coal, Culm and Coke, in Charlottetown," will expire at the end of the present Session.

The Act of 15th Victoriæ, cap. 33, intituled "An Act authorising the Harbour and Ballast Masters of the various Harbours and Rivers in this Island, to superintend the laying down, erection and maintenance of the Buoys and Beacons therein," will expire at the end of the present Session.

The Act of 16th Victoriæ, cap. 10, intituled "An Act to alter and add to the Act regulating the retail of Spirituous Liquors," and the Act of 18th Victoriæ, cap. 33, intituled "An Act to amend the Laws now in force, relating to the sale, by License, of Spirituous Liquors," will expire on the 16th of April, 1856.

The Act of 12th Victoriæ, cap. 10, intituled "An Act for raising a Revenue,"

and the Act of 18th Victoriae, cap. 35, intituled "An Act for raising a Revenue," will expire on the 2d May, 1856.

Ordered, That the Report of the Committee be received.

The Hon. Mr. Attorney General, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House copy of the Warrant Book for the past year.

Adjourned until Monday next, at One o'clock.

Monday, 3d March, 1856.

PRESENT :

The Honorable *Mr. Young*, President;

The Hon. *Mr. Attorney General*,

The Hon. *Mr. Wright*,

Mr. Walker,

Mr. Bagnall.

Mr. Craswell,

PRAYERS.

There not being a quorum—

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

Tuesday, 4th March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Walker*,

Mr. Haythorne,

Mr. Craswell,

Mr. Attorney General,

Mr. Wright.

PRAYERS.

Read the proceedings of Friday last.

Mr. President informed the House that family affliction prevents Mr. Bagnall from attending in his place.

Ordered, That Mr. Bagnall's excuse be received.

Pursuant to order, the Bill intituled "An Act to repeal the Act relating to Light and Anchorage Duties, and to make other provisions in lieu thereof," was read a third time.

Resolved, That the said Bill do pass.

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

Pursuant to order, the Bill intituled "An Act to amend the Law in this Island as to Ejectments and Distresses, and as to the occupation of Lands," was read a third time.

Resolved, That the said Bill do pass.

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

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

A Petition of William Chappell, praying aid in running his sailing Packet between Charlottetown and Bay Verte.

A Petition of George Thresher, senior, late Deputy Colonial Secretary, praying that this House will concur with the House of Assembly in granting him a small annuity, in consideration of his long and faithful services.

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

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

A Petition of divers Inhabitants of the East side of Seal River, Township Number Fifty,

A Petition of divers Inhabitants of Fifteen Point, Egmont Bay,

A Petition of divers Inhabitants of Township Number Fifteen,

A Petition of divers Inhabitants of Abraham's Village, Township Number Fifteen,—severally praying aid to improve their Road communications.

A Petition of Jane Jackman, of Township Number Nineteen, in indigent circumstances, praying relief.

A Petition of divers Inhabitants of Miscouche and vicinity, setting forth the destitute condition of Cassimir Perry, with a large helpless family, and praying relief.

A Petition of divers Inhabitants of Egmont Bay, setting forth the helpless condition of the family of Zachary Cormier, and recommending their case to the favorable consideration of this House.

A Petition of John Macintosh, of Township Number Fourteen, in Prince County, Mail Courier, praying that this House will concur with the House of Assembly in granting him remuneration for services performed which were not contemplated when he entered into his contract for the conveyance of the Mails between Saint Eleanor's and Tignish.

A Petition of divers Inhabitants of Fifteen Point and vicinity, praying for the establishment of a Post Office at John Perry's Corner, Cross Roads.

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

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

A Petition of divers Inhabitants of Tignish, Township Number One, setting forth that Petitioners have lately established a Circulating Library, and praying aid in furtherance of that object.

A Petition of divers Inhabitants of Searltown and Seven-mile Bay, praying for the establishment of a Post Office at or near the residence of the Hon. John Wright.

A Petition of divers Inhabitants of Townships Numbers Twenty-three and Twenty-four, praying for the establishment of a Post Office at Wheatly River.

A Petition of divers Inhabitants of Rustico and New Glasgow, praying that this House will concur with the House of Assembly in granting a sum of money towards laying down Buoys and erecting Beacons in Rustico Harbour.

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

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

A Petition of divers Inhabitants of Saint Peter's Settlement.

A Petition of divers Inhabitants of St. Peter's Road and vicinity.

A Petition of divers Inhabitants of Mill River, Township Number Forty-six, south side.

A Petition of divers Inhabitants of Friston Road, and its vicinity,—severally praying aid to improve their Road communications.

A Petition of John Brown, of Township Number Forty-six, in destitute circumstances, praying relief.

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

Mr. Attorney General, by leave, presented a Petition of the Charlottetown Gas Company, praying for an alteration in the Act for the Incorporation of the said Company.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill for preventing Fraud, by secret Bills of

Read the proceedings of Tuesday last.

Pursuant to order, the Bill intituled "An Act to continue the Act relating to the laying down, erection and maintenance of Buoys and Beacons, in this Island," was read a third time.

Resolved, That the said Bill do pass.

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

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

A Petition of William Mugford, of the Royalty of Charlottetown a cripple, in a very afflicted and helpless condition, praying pecuniary relief.

A Petition of divers Inhabitants of Townships Number Fifty-four and Fifty-five,

A Petition of divers Inhabitants of Trout River, Township Number Twenty-one,—severally praying aid to improve their Road communications.

A Petition of divers Inhabitants of Cascumpeque, praying that this House will concur with the House of Assembly in granting a sum of money in aid of cutting a Canal from Kildare River to the open sea.

A Petition of divers Inhabitants of Cascumpeque, praying that this House will sanction the grant of a sum of Money for the erection of a Building to be occupied as a Court House for the Commissioners for the recovery of Small Debts.

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

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

A Petition of divers Inhabitants of Cascumpeque, Kildare, and adjacent Settlements, setting forth the advantages that would be derived to the trade of this Colony as well as for the security of life and property, by the erection of a Light House on the North Cape of this Island, and praying the favorable consideration of this House.

A Petition of divers Inhabitants of Cascumpeque, Kildare, Tignish, Nail Pond, and adjacent Settlements, praying that this House will sanction the grant of a sum of money towards the completion of a public Wharf at Cascumpeque.

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

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

A Petition of divers Inhabitants of Township Number Seventeen,

A Petition of divers Inhabitants of Skinner's Pond, Township Number One,—severally praying aid to improve their Road communications.

A Petition of Patrick M. Power, Postmaster at Summerside, in Prince County,

praying that this House will concur with the House of Assembly in granting him an increased allowance for his services.

A Petition of Thomas Mansfield, of Nail Pond, Township Number One, Teacher, praying that this House will sanction the grant of an allowance for his services for twelve months last past.

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

Mr. Wright, by leave, presented a Petition of William Wright, of Bedeque, praying that this House will sanction the grant of a sum of money to compensate him for the care and maintenance of John Rice, an aged and infirm person in destitute circumstances.

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

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

A Petition of John Mackieson, styling himself Chairman of the "Prince Edward Island Medical Association," praying for an enactment which will place the Medical Profession in this Island, in as advantageous a position, as in other countries and meet the wants of the Colony in the suppression of ignorant pretenders to medical knowledge and other unqualified persons.

A Petition of divers Inhabitants of the Head of Amherst, and North Shore of the County of Cumberland, Province of Nova Scotia, praying that such measures may be adopted in conjunction with the Legislatures of the other British American Provinces as will encourage the placing of Fog Bells on Cape Traverse and Cape Tormentine, and the erection of a Light House on Cape Tormentine.

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

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

A Petition of divers Inhabitants of Village Green Settlement, Township Number Forty-nine and Monaghan Settlement, praying aid to extend the Village Green Road,

A Petition of Sarah Macdonald, of St. Peter's Road, Township Number Thirty-four, Widow, in indigent circumstances, praying relief.

A Petition of divers Inhabitants of New Glasgow and Princetown Road, praying for a new line of Road,

A Petition of divers Inhabitants of Townships Numbers Thirty-four and Thirty-five, praying that this House will concur with the House of Assembly in granting a sum sufficient to extend the Wharf at Appletree Farm.

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

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

A Petition of William Heard, of Charlottetown, Merchant, praying that this House will concur with the House of Assembly in voting a sum in acknowledgment of the services of the Steamer "Rosebud," during the past season.

A Petition of divers Merchants and other inhabitants of Charlottetown, praying that this House will sanction the grant of a sum of money in acknowledgment of the services of the Steamer "Rosebud."

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

Mr. Attorney General presented to the House a Bill to authorize the Government to prohibit the exportation of Saltpetre, and other Chemical Salts, and the same was read a first time.

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

Friday, 7th March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Craswell*,

Mr. Haythorne,

Mr. Wright.

Mr. Attorney General,

Mr. Bagnall.

Mr. Walker,

PRAYERS.

Read the proceedings of yesterday.

A Message from the House of Assembly, by the Hon. Colonial Secretary, with a Bill intituled "An Act to facilitate the performance of the duties of Justices of the Peace in this Island, with respect to persons charged with indictable offences," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

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

A Petition of Margaret Collins, of Montague River, Widow, setting forth the helpless and afflicted condition of her Sister, and praying pecuniary relief.

A Petition of the Trustees of the Bedeque Central School, praying that this House will sanction the grant of an allowance to Elizabeth Wilson, for three months' services as a Teacher, at Bedeque.

A Petition of divers Inhabitants of Townships Numbers Fifty-nine, Sixty-one, Sixty-three and Sixty-four, praying for the removal of certain grievances respecting the Ferry between Montague and Georgetown.

A Petition of divers Inhabitants of Saint Eleanor's, setting forth the destitute condition of Edward Brian, whose afflicted daughter has become a very heavy burthen, and recommending the said Edward Brian to the favorable consideration of this House.

A Petition of Samuel Hyde, and other Inhabitants of Elliot River, praying that this House will sanction the grant of a sum of Money, in aid of individual subscription, towards building a Wharf at the North side of Elliot River.

A Petition of John Lawson, J. P. Palmer, and others, Office-bearers of the Charlottetown Horticultural Society, praying that this House will concur with the House of Assembly in granting a sum of Money in aid of the funds of that Institution.

A Petition of divers Inhabitants of Township Number Fifty-two, praying aid to improve their Road communications.

A Petition of divers Inhabitants of Montague, Township Number Fifty-nine, and adjacent settlements, praying aid to repair and extend the Wharf at Montague.

A Petition of divers Inhabitants of Montague Brook Settlement, and vicinity, praying that this House will sanction the grant of a sum of Money to remunerate them for labor performed on a Road in that District.

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

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

A Petition of divers Inhabitants of Township Number Forty-nine, praying aid to extend the Wharf at Pownal Bay.

A Petition of divers Inhabitants of Township Number Thirty-three, praying that this House will adopt such measures as will remedy the evils arising from the running at large of Hogs.

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

Mr. Walker, by leave, presented a Petition of divers Inhabitants of North Lake, Township Number Forty-seven, praying aid towards the erection of a Bridge at the mouth of Surveyor's Inlet.

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

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

A Petition of divers Inhabitants of Prince Edward Island, setting forth the advantages that would be derived from placing a Light House on the North Cape of this Island, and praying the favorable consideration of this House.

A Petition of divers inhabitants of the Western portion of Prince County, praying for a division of said County.

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

Mr. Craswell, by leave, presented a Petition of Nicholas J. Brown, Postmaster at St. Eleanor's, praying that this House will concur with the House of Assembly in granting him an increased allowance for his services.

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

Mr. Wright, by leave, presented a Petition of divers Inhabitants of Traveller's Rest, Township Number Nineteen and vicinity, praying that measures may be adopted to remedy the evils which they are subjected to, in consequence of the running at large of Hogs.

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

The Bill to authorise the Government to prohibit the exportation of Saltpetre, and other Chemical Salts, was read a second time.

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

Ordered, That the Report of the Committee be received.

Ordered, That the said Bill be engrossed, and that the Title be "An Act to authorise the Government to prohibit the exportation of Saltpetre and other Chemical Salts."

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

Saturday, 8th March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable <i>Mr. Young</i> , President;	
The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Craswell</i> ,
<i>Mr. Haythorne</i> ,	<i>Mr. Wright</i> .
<i>Mr. Attorney General</i> ,	<i>Mr. Bagnall</i> .
<i>Mr. Walker</i> ,	

PRAYERS.

Read the proceedings of yesterday.

The Bill intituled "An Act for preventing Fraud by secret Bills of Sale of personal Chattels," was, as engrossed, read a third time.

Resolved, That the said Bill do pass.

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

The Bill intituled "An Act to authorise the Government to prohibit the exportation of Saltpetre and other Chemical Salts," was, as engrossed, read a third time.

Resolved, That the said Bill do pass.

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

Mr. Craswell, be leave, presented the following Petitions, and the same were severally received and read, viz :

A Petition of the Trustees of the District School, and other Inhabitants of Townships Numbers Seven and Eight, praying aid to erect a new School-house, the Building used as such, having been recently consumed by Fire.

A Petition of divers Inhabitants of Townships Numbers Thirty-one and Sixty-five, praying that this House will concur with the House of Assembly, in granting a sum, in aid of individual subscription, towards the erection of a Wharf at Maceachern's Point, Elliot River.

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

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

A Petition of divers Inhabitants of the Eastern section of King's County, praying that this House will concur with the House of Assembly in granting a sum of money to improve the Road at the East end of Souris Bridge.

A Petition of Michael Conway, of Township Number Forty-four, praying that this House will sanction the grant of a sum of money to remunerate him for labor performed at a Bridge near Leslie's Saw Mill.

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

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

A Petition of William Henry Nelis, late Teacher of the National School, in Charlottetown, setting forth his long and arduous services as a Teacher in this Island for a period of forty-three years, and praying that this House will concur with the House of Assembly in granting him a sum of money to enable him to proceed to the United States, where his family now reside.

A Petition of Isabella W. Ross, setting forth that, by the demise of her husband, late Clerk Assistant of the House of Assembly, she has been left with a helpless

family, without any certain means of adequate support, and praying for some assistance, in consideration of the public services rendered by him.

A Petition of divers inhabitants of Dog River Settlement, Township Number Thirty-one, praying aid to improve their Road communications.

A Petition of James Robertson, and five others, Trustees of Brudenell River School District and other Inhabitants of Brudenell, praying that this House will sanction the grant of an allowance to Robert Blake Irving for his services as an unlicensed Teacher, for a period of six months.

A Petition of divers Inhabitants of Union Road, on Township Number Fifty-one, praying aid to improve their Road communications.

A Petition of John MacLaren and Malcolm Maclean of Township Number Fifty-one, praying to be indemnified for the loss sustained by them in their contract for building a Wharf at the North side of Brudenell River, in 1853:

A Petition of Lawrence Curran, of Georgetown Road, Township Number Fifty-one, praying that this House will sanction the grant of a small sum of money to compensate him for building a Bridge on the Union Road, having tendered to perform the work at a very low a rate.

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

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

“ Mr. President ;

“ The House of Assembly have passed the Bill intituled ‘ An Act to authorise the Government to prohibit the exportation of Saltpetre, and other Chemical Salts, ’ without any amendment.”

Adjourned until Monday the 17th day of March instant, at one o'clock.

Monday, 17th March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Walker*.

Mr. Attorney General,

Mr. Craswell,

Mr. Beaton,

Mr. Bagnall.

PRAYERS.

Read the proceedings of Saturday the Eighth instant.

The Bill intituled "An Act to facilitate the performance of the duties of Justices of the Peace in this Island, with respect to persons charged with indictable offences," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Swabey reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

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

Tuesday, 18th March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Craswell*,

Mr. Haythorne,

Mr. Wright,

Mr. Attorney General,

Mr. Bagnall.

Mr. Walker,

PRAYERS.

Read the proceedings of yesterday.

Mr. President informed the House that urgent business prevents Mr. Beaton from attending in his place, and that Mr. Beaton is desirous to have leave to absent himself until Thursday next.

Ordered, That Mr. Beaton's excuse be received, and that he have leave to absent himself accordingly.

The Hon. Mr. Swabey, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House the following written Message, signed by His Excellency, which the House received standing :—

D. DALY, Lieutenant Governor.

"The Lieutenant Governor transmits, for the information of the Legislative Council, Extract of a letter from Sir Charles E. Trevelyan to Herman Merivale, Esquire, dated Treasury Chambers, 12th October, 1855.

“The suggestions contained in this document, in reference to the Act to incorporate the Bank of Prince Edward Island, which has recently received Her Majesty’s confirmation appears to the Lieutenant Governor of sufficient importance to merit early and attentive consideration with a view to the adoption of such means as may be found necessary to meet the objections which the Lords Commissioners of Her Majesty’s Treasury have therein brought to the notice of the Secretary of State.

“Government House, 13th March, 1856.”

(See *Appendix No. 4.*)

The said Message and Extracts therein referred to, were read, and ordered to lie on the Table.

The Hon. Mr. Attorney General, a Member of Her Majesty’s Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House copies of the following Despatches and Documents, viz:—

Copy of Despatch from Sir William Molesworth, No. 7, bearing date 1st October, 1855, transmitting Order of Her Majesty in Council, leaving to their operation seven Acts passed by the Colonial Legislature in the months of March and April 1855.

Copy of Despatch from Sir George Grey, dated 26th October, 1855, No. 9, transmitting order of Her Majesty in Council, leaving to their operation fourteen Acts passed by the Colonial Legislature in the month of April, 1855.

Copy of Despatch from Sir George Grey, dated 26th October, 1855, No. 10, transmitting Order of Her Majesty in Council, specially confirming an Act passed by the Legislature of Prince Edward Island, intituled “An Act to naturalize James Searle Mann.”

Copy of Despatch from the Secretary of State, dated 5th February, 1856, No. 8, leaving to its operation an Act passed by the Legislature of Prince Edward Island in the month of April, 1855, intituled “An Act in addition to and amendment of the Act regulating the laying out and altering of Highways.

Copy of Despatch from the Secretary of State, dated 23d November, 1855, No. 1, transmitting Order of Her Majesty in Council, declaring Her Royal disallowance of an Act passed by the Legislature of Prince Edward Island, in the month of April, 1855, intituled “An Act relating to Stamped Instruments.”

Copy of Despatch from the Secretary of State, dated 1st February, 1856, No. 7, transmitting Order of Her Majesty in Council, specially confirming an Act passed by the Legislature of Prince Edward Island, in the month of April, 1855, intituled “An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of Prince Edward Island.”

(See *Appendix No. 5.*)

And the same were read, and ordered to lie on the table.

Mr. Swabey laid before the House the following Papers, viz:—

Annual Report of the Trustees of the Lunatic Asylum, enclosing Return of Paupers and Lunatics in the Asylum from 1st February, 1855, to 31st January, 1856.

Account of Receipts and Expenditure in the same period.

Report of the Medical Superintendent of the Institution.

(See *Appendix No. 6.*)

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

A Message from the House of Assembly, by the Hon. Mr. Mooney, with a Bill intituled "An Act to consolidate and amend the Acts regulating the Sale by License of Spirituous Liquors," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

Mr. Swabey laid before the House the Report of the Visiter of Schools for the past year, which was read.

(See *Appendix No. 7.*)

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

Mr. Attorney General, by leave, presented a Petition of divers Inhabitants of Prince County, praying for a division of the County, whereby the Inhabitants may enjoy the benefits arising from such an important measure.

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

Mr. Haythorne, by leave, presented a Petition of the Royal Agricultural Society, praying that this House will concur with the House of Assembly, in granting the sum of £1300 to enable the Society to establish a Model Farm for breeding improved Stock, and growing Seeds; and also, an annual sum sufficient to pay the rent of the said farm for the first three years.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to facilitate the performance of the duties of Justices of the Peace in this Island, with respect to persons charged with indictable offences. After some time, the House was resumed, and Mr. Swabey reported that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

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

Wednesday, 19th March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*, The Hon. *Mr. Craswell*,

Mr. Haythorne, *Mr. Wright*.

Mr. Attorney General, *Mr. Bagnall*.

Mr. Walker,

PRAYERS.

Read the proceedings of yesterday.

Mr. Attorney General presented to the House a Bill relating to the Indians of Prince Edward Island, and the same was read a first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to facilitate the performances of the duties of Justices of the Peace in this Island, with respect to persons charged with indictable offences." After some time, the House was resumed, and Mr. Attorney General reported that the Committee had gone through the Bill, and had made an amendment thereto.

Ordered, That the Report of the Committee be received.

The said Amendment was then read, and is as follows, viz :—

Folio 38, last line,—Strike out from the word "for," to the end of the clause in folio 39, both inclusive, and insert, "until he shall consent to be examined, and to answer concerning the premises ; provided such imprisonment shall not exceed sixty days."

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

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

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

A Petition of divers Inhabitants of Township Number Twelve, praying aid towards the erection of a Bridge, in that district.

A Petition of divers Inhabitants of Tryon River and Crapaud, praying aid towards the extension of the Wharf at the west side of Crapaud Harbor.

A Petition of divers Inhabitants of Township Number Fourteen, praying for an alteration in the line of Road in that district.

A Petition of divers Inhabitants of Bideford, Township Number Twelve, setting forth the helpless condition of Silas Ford, and Honora Ford, an aged and infirm couple, and recommending their case to the favorable consideration of this House.

A Petition of divers Inhabitants of Township Number Thirteen, praying for the opening of a new line of Road in that district.

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

Mr. Walker, by leave, presented a Petition of Daniel Wall, praying that he may be put in possession of Two hundred acres of Land, which was granted to his late Father, for his services in the King's Rangers, which Grant has unfortunately been destroyed by fire.

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

The Bill intituled "An Act to consolidat  and amend the Acts regulating the sale, by license, of Spirituous Liquors," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Bagnall reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

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

Thursday, 20th March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Walker*,

Mr. Haythorne,

Mr. Craswell,

Mr. Beaton,

Mr. Wright,

Mr. Attorney General,

Mr. Bagnall.

PRAYERS.

Read the proceedings of yesterday.

Mr. Attorney General, by leave, presented a Petition of Henry Palmer, and Theophilus Stewart, Esquires, Indian Commissioners, praying to be heard by Counsel at the Bar of this House, in support of the Bill relating to the Indians of Prince Edward Island.

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

Mr. Stewart was accordingly heard at the Bar.

The said Bill was then read a second time.

Adjourned until Saturday next, at One o'clock.

Saturday, 22d March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable <i>Mr. Young</i> , President ;	
The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Walker</i> ,
<i>Mr. Haythorne</i> ,	<i>Mr. Craswell</i> ,
<i>Mr. Beaton</i> ,	<i>Mr. Wright</i> ,
<i>Mr. Attorney General</i> ,	<i>Mr. Bagnall</i> .

PRAYERS.

Read the proceedings of Thursday last.

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

Ordered, That Mr. Dingwell's excuse be received.

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

A Petition of George Poole, and others, styling themselves "Members of Saint David's Church, in Georgetown," praying that a Law may be enacted to incorporate the members of the said Church.

A Petition of David Fitzgerald, and others, styling themselves "Protestant Clergymen of various denominations in this Island," praying for the enactment of a Law to prohibit the traffic in intoxicating Liquors.

A Petition of Alexander Sutherland, and others, styling themselves "Free Presbytery of Prince Edward Island," praying for the enactment of a Law to prohibit the traffic in intoxicating Liquors, except for medicinal, or mechanical purposes.

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

Mr. Beaton, by leave, presented a Petition of Archibald C. Bickford, praying that this House will concur with the House of Assembly in granting him an allowance for twelve months' services as a Teacher, on Township Number Eight.

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

Mr. Wright, by leave, presented a Petition of divers Inhabitants of Cascumpeque, praying aid to repair a Road and Bridge in that District, and also for aid towards the erection of a Bridge at Long Creek.

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

Mr. Attorney General presented to the House a Bill for transferring to one of Her Majesty's principal Secretaries of State, the powers and estates vested in the principal Officers of the Ordnance; and the same was read a first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to consolidate and amend the Act regulating the sale, by License, of Spirituous Liquors." After some time, the House was resumed, and Mr. Bagnall reported that the Committee had made further progress therein, and they recommend that a Conference be desired with the House of Assembly, on the subject matter thereof; and further, that he was directed by the Committee to move that they may have leave to sit again.

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

Ordered, That Mr. Attorney General and Mr. Bagnall be a Committee to manage the said Conference, to meet in the Conference Room on Monday next, at half-past One o'clock.

Ordered, That Mr. Wright have leave to absent himself during the ensuing week, on public business.

Adjourned until Monday next, at One o'clock.

Monday, 24th March, 1856.

The Council met, pursuant to adjournment.

PRESENT

The Honorable *Mr. Young*, President;

The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Walker</i> ,
<i>Mr. Haythorne</i> ,	<i>Mr. Craswell</i> ,
<i>Mr. Beaton</i> ,	<i>Mr. Bagnall</i> .
<i>Mr. Attorney General</i> ,	

PRAYERS:

Read the proceedings of Saturday.

Mr. Beaton, by leave presented a Petition of Hugh McVarish, praying compensation for the loss of a House on Township Number Forty-two destroyed by fire,

which had been occupied as an Hospital by a family afflicted with the Small Pox in the year 1848.

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

Mr. Swabey moved the following Resolution, viz :—

Resolved, That a Committee be appointed to prepare Resolutions expressive of the sentiments of this House, on the various Petitions presented against Her Majesty's assent being given to the Rent Roll and Tenants' compensation Bills passed last Session by this Legislature, which Petitions have been laid before this House, by order of His Excellency the Lieutenant Governor.

The question of concurrence being put thereon, the House divided :—

CONTENTS :

Mr. President,
Mr. Swabey,
Mr. Beaton,
Mr. Attorney General,
Mr. Walker,
Mr. Craswell,
Mr. Bagnall.

NON-CONTENT :

Mr. Haythorne.

And it passed in the affirmative.

Ordered, That Mr. Swabey, Mr. Walker and Mr. Craswell be a Committee in conformity with the above Resolution.

The Hon. Mr. Attorney General, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House the following written Message, signed by His Excellency :—

D. DALY, Lieutenant Governor.

“ The Lieutenant Governor transmits, for the information of the Legislative Council, Copy of Despatch from the Secretary of State (18th February, No. 11,) relating to certain Acts of the last Session of the Provincial Legislature, submitted for Her Majesty's confirmation.

“ Government House, 24th March, 1856.”

(See *Appendix No. 8.*)

The Hon. Mr. Attorney General, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, also laid before the following written Message, signed by His Excellency :—

D. DALY, Lieutenant Governor.

“The Lieutenant Governor transmits, for the information of the Legislative Council, a copy of the first Report of the Royal Commissioners of the Patriotic Fund to Her Majesty the Queen.

“Government House, 24th March 1856.”

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

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill relating to the Indians of Prince Edward Island. After some time, the House was resumed, and Mr. Attorney General reported that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments.

Ordered, That the Report of the Committee be received.

Ordered, That the said Bill be engrossed, and that the title be “An Act relating to the Indians of Prince Edward Island.”

The Bill for transferring to one of Her Majesty’s Principal Secretaries of State the powers and estates vested in the principal Officers of the Ordnance, was read a second time.

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

Ordered, That the Report of the Committee be received.

Ordered, That the said Bill be engrossed, and that the title be “An Act for transferring to one of Her Majesty’s principal Secretaries of State the powers and estates vested in the principal Officers of the Ordnance.

Adjourned until to-morrow, at one o’clock.

Tuesday, 25th March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Walker*,

Mr. Haythorne,

Mr. Craswell,

Mr. Beaton,

Mr. Bagnall.

Mr. Attorney General,

PRAYERS :

Read the proceedings of yesterday.

Mr. Attorney General, by leave, presented a Petition of divers Inhabitants of King's County, praying that a Law may be enacted for regulating Streams of Water between different Mills.

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

The Bill intituled "An Act relating to the Indians of Prince Edward Island," was, as engrossed, read a third time.

Resolved, That that the said Bill do pass.

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

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

Mr. President ;

The House of Assembly do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled "An Act to continue and amend the Acts regulating the sale, by license, of Spirituous Liquors, and have appointed the Hon. Colonial Treasurer, the Hon. Colonial Secretary, Hon. Mr. Wightman, and Mr. Macdonald, a Committee to manage the said Conference.

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

A Message from the House of Assembly by the Hon. Colonial Secretary, with a Bill intituled "An Act to facilitate the performance of the duties of Justices of the Peace, with respect to summary convictions and orders," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

A Message from the House of Assembly, by Mr. H. Haviland, with a Bill intituled "An Act to increase the Stock of the Charlottetown Gas Light Company," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

A Message from the House of Assembly, by the Hon. Mr. Wightman, with a Bill intituled "An Act to incorporate the Trustees of Saint David's Church in Georgetown," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

The Bill intituled "An Act to facilitate the performance of the duties of Justices of the Peace, with respect to summary convictions and orders," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Attorney General reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

Pursuant to order, the Bill intituled "An Act to facilitate the performance of the duties of Justices of the Peace in this Island, with respect to persons charged with indictable offences," was, as amended, read a third time.

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

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

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

Wednesday, 26th March, 1856.

The Council met, pursuant to adjournment.

PRESENT

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Walker*,

Mr. Haythorne,

Mr. Craswell,

Mr. Beaton,

Mr. Bagnall.

Mr. Attorney General,

PRAYERS.

Read the proceedings of yesterday.

The Bill intituled "An Act for transferring to one of Her Majesty's Principal Secretaries of State, the powers and estates vested in the principal Officers of the Ordnance," was, as engrossed, read a third time.

Resolved, That the said Bill do pass.

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

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

"Mr. President;

"The House of Assembly desire a further Conference with the Legislative Council, on the Bill intituled "An Act to consolidate and amend the Acts regulating the sale, by license, of Spirituous Liquors," and have appointed the same Committee

who managed the former Conference thereon, a Committee to manage this further Conference."

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

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

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

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

Mr. Swabey, by leave, presented a Petition of John Holland, Ferryman, Cardigan River, praying compensation for loss sustained on his contract as such.

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

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

Mr. President ;

The House of Assembly have agreed to the amendments made by the Legislative Council to the Bill intituled "An Act to facilitate the performance of the duties of Justices of the Peace in this Island, with respect to persons charged with indictable offences," without any amendment.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to consolidate and amend the Acts regulating the sale, by license, of Spirituous Liquors." After some time, the House was resumed, and Mr. Bagnall reported that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to facilitate the performance of the duties of Justices of the Peace, with respect to summary convictions and orders. After some time, the House was resumed, and Mr. Attorney General reported that the Committee had gone through the Bill, and had made several amendments thereto.

Ordered, That the Report of the Committee be received.

The said Amendments were then read, and are as follow :—

Folio 31, line 6.—Strike out from the word “such,” to the word “contrary,” in line 8, both inclusive, and insert—“it shall not be necessary that such complaint shall be in writing, unless it shall be required to be so.”

Folio 36, last line.—Strike out from the word “on,” to the word “care,” in folio 37, line 2, both inclusive, and insert, “without any oath or affirmation being made of the truth thereof, except in cases.”

Folio 53, line 9.—Strike out the word “upon,” and insert “without.”

Folio 56, line 10.—Strike out the word “as,” and insert “an.”

Folio 86, line 5.—After the word “day,” insert “in the discretion of the Justice or Justices, not exceeding three months.”

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

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

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

Thursday, 27th March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Walker*,

Mr. Haythorne,

Mr. Craswell,

Mr. Attorney General,

Mr. Bagnall.

PRAYERS.

Read the proceedings of yesterday.

Pursuant to order, the Bill intituled “An Act to facilitate the performance of the duties of Justices of the Peace with respect to summary convictions and orders,” was, as amended, read a third time.

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

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

The Bill intituled “An Act to increase the Stock of the Charlottetown Gas Light Company,” was read a second time.

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

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

Ordered, That the Report of the Committee be received.

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

The Bill intituled "An Act to incorporate the Trustees of Saint David's Church, in Georgetown," was read a second time.

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

Ordered, That the Report of the Committee be received.

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

Mr. Attorney General presented to the House a Bill further to improve the Law of Evidence, and the same was read a first time.

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

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

Friday, 28th March, 1856.

The Council met, pursuant to adjournment.

PRESENT

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Walker*,

Mr. Haythorne,

Mr. Craswell,

Mr. Beaton,

Mr. Bagnall.

Mr. Attorney General,

PRAYERS.

Read the proceedings of yesterday.

Pursuant to order, the Bill intituled "An Act to incorporate the Trustees of Saint David's Church, in Georgetown," was read a third time.

Resolved, That the said Bill do pass.

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

Mr. Attorney General laid before the House the Accounts of the Collector of Impost and Excise, for Charlottetown, for the year ending 31st December, 1855;

also, the Accounts of the Collectors of Impost and Excise for the undermentioned Out-Ports, for the same period, viz :—Georgetown, Bedeque, Cascumpeque, Malpeque, New London, Rustico, Grand River, Colville Bay, Murray Harbor, Orwell, Pinette and Crapaud.

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

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

Mr. President ;

The House of Assembly have passed the Bill intituled “ An Act for transferring to one of Her Majesty’s principal Secretaries of State, the powers and estates vested in the principal Officers of the Ordnance,” without any amendment.

Pursuant to order, the Bill further to improve the Law of Evidence, was read a second time.

Ordered, That Mr. Beaton have leave to absent himself during the next week.

Adjourned until Monday next, at One o’clock.

Monday, 31st March, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. *Mr. Swabey*, The Hon. *Mr. Craswell*,

Mr. Haythorne, *Mr. Wright*,

Mr. Attorney General, *Mr. Bagnall*.

Mr. Walker,

PRAYERS :

Read the proceedings of Friday last.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill further to improve the Law of Evidence. After some time, the House was resumed, and Mr. Attorney General reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

A Message from the House of Assembly, by the Hon. Mr. Longworth, with a Bill intituled “ An Act relating to the Boundaries of the City of Charlottetown,

and the jurisdiction of the Mayor's and Police Courts of the said City, and for other purposes therein mentioned," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

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

Mr. President;

The House of Assembly have agreed to the amendments made by the Legislative Council to the Bill intituled "An Act to facilitate the performance of the duties of Justices of the Peace in this Island, with respect to summary convictions and orders," without any amendment.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill further to improve the Law of Evidence. After some time, the House was resumed, and Mr. Attorney General reported that the Committee had gone through the Bill, and had agreed to the same without any amendment.

Ordered, That the Report of the Committee be received.

Ordered, That the said Bill be engrossed, and that the Title be "An Act further to improve the Law of Evidence."

Mr. Attorney General, by leave, presented a Petition of the Trustees of Dunstaffnage School, setting forth their grievances in being subjected to the payment of heavy costs and damages in defending a suit at Law, arising out of a disputed claim respecting the extent of Ground comprised in the site of their School-house, and which site is vested in them as Trustees for the time being, and praying relief.

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

Mr. Attorney General presented to the House a Bill to explain and amend the Statute of limitations of Actions concerning Real Estate, and the same was read a first time.

Mr. Swabey, from the Special Committee appointed to prepare Resolutions expressive of the sentiments of this House, on the various Petitions presented against Her Majesty's assent being given to the Rent Roll and Tenants' Compensation Bills, passed by the Legislature in the last Session, presented to the House the Report of the Committee, and the same was read, and is as followeth:—

WHEREAS the Legislative Council has reviewed the documents laid before it by order of His Excellency the Lieutenant Governor, purporting to be Petitions and Memorials against Her Majesty's assent being given to two Acts of this Legislature, namely, the Rent Roll and Tenants' compensation Bills.

Resolved, therefore, That it is the opinion of the Council, that the language used in these documents, in many points, cannot be justified by facts, and is grossly

Mr. President ;

The House of Assembly have passed the Bill intituled " An Act relating to the Indians of Prince Edward Island," with several amendments, to which they desire the concurrence of the Legislative Council.

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

Folio 3, line 6.—Strike out all after the word " encroachment," to the end of the clause, and insert " or trespass upon any such lands where the damage or injury committed shall not exceed the sum of five pounds, it shall be lawful to proceed by information, in the name of Her Majesty, before any one or more of Her Majesty's Justices of the Peace for the County; and where the damage or injury committed shall exceed the sum of five pounds, then such information shall be proceeded with in the Supreme Court, notwithstanding the legal title to the land may not be vested in the Crown."

Folio 5, line 1.—After the word " Act," insert " with the approval of the Lieutenant Governor."

The said amendments being read a second time, and the question of concurrence being put on each, they were severally agreed to by the House.

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

A Message from the House of Assembly, by the Hon. Mr. Longworth, with a Bill intituled " An Act in further amendment of an Act to incorporate the Minister and Trustees of Saint James's Church, in the Town of Charlottetown," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

The Bill intituled " An Act relating to the Boundaries of the City of Charlottetown, and the jurisdiction of the Mayor's and Police Courts of the said City, and for other purposes therein mentioned," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Swabey reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

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

Wednesday, 2d April, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Craswell</i> ,
<i>Mr. Haythorne</i> ,	<i>Mr. Wright</i> ,
<i>Mr. Attorney General</i> ,	<i>Mr. Bagnall</i> .
<i>Mr. Walker</i> ,	

PRAYERS.

Read the proceedings of yesterday.

The Bill intituled "An Act in further amendment of the Act to incorporate the Minister and Trustees of Saint James's Church, in the Town of Charlottetown," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Craswell reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

A Message from the House of Assembly by the Hon. Colonial Secretary, with a Bill intituled "An Act to alter and amend the Act relating to the Charlottetown Ferry, and the Wharfs connected therewith," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act in further amendment of the Act to incorporate the Minister and Trustees of Saint James's Church in the Town of Charlottetown." After some time, the House was resumed, and Mr. Craswell reported that the Committee had gone through the Bill, and had agreed to the same, without any amendment.

Ordered, That the Report of the Committee be received.

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

A Message from the House of Assembly, by the Hon. Mr. Mooney, with a Bill intituled "An Act to alter and amend the Act incorporating the Minister and Elders of Saint John's Church, Belfast," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

Ordered, That the second reading of the Bill to explain and amend the Statute of Limitation of Actions concerning Real Estate, do stand as the order of the Day for to-morrow.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act relating to the Boundaries of the City of Charlottetown, and the jurisdiction of the Mayor's and Police Courts of the said City, and for other purposes therein mentioned." After some time, the House was resumed, and Mr. Attorney General reported that the Committee had gone through the Bill, and had made an amendment thereto.

Ordered, That the Report of the Committee be received.

The said Amendment was then read, and is as followeth:—

Folio 17, line 7.—After the word "rate," insert as follows, viz.—"That from and after the passing of this Act, no proprietor, possessor, occupier, agent, or other person, owning, or having in charge any land within said City, shall open or lay out any new Street or Road over or on the property so owned, possessed, occupied, or had in charge of him, her, or them, of a less width than forty feet.

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

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

The Hon. Mr. Attorney General, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House copy of the Blue Book, for the year 1854.

Ordered, That the same do lie on the table.

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

Thursday, 3d April, 1856.

The Council met, pursuant to adjournment.

PRESENT

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

Mr. Haythorne,

Mr. Attorney General,

Mr. Walker,

The Hon. *Mr. Craswell*,

Mr. Wright,

Mr. Bagnall.

PRAYERS.

Read the proceedings of yesterday.

The Order of the Day, for the second reading of the Bill to explain and amend the Statute of limitations of Actions concerning Real Estate, being read,

The said Bill was accordingly read a second time.

Dissentient,—Mr. Haythorne.

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

Ordered, That the Report of the Committee be received.

Ordered, That the said Bill be engrossed, and that the Title be “An Act to explain and amend the Statute of limitations of Actions concerning Real Estate.”

Pursuant to order, the Bill intituled “An Act relating to the Boundaries of the City of Charlottetown, and the jurisdiction of the Mayor’s and Police Courts of the said City, and for other purposes therein mentioned,” was, as amended, read a third time.

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

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

Pursuant to order, the Bill intituled “An Act in further amendment of the Act to incorporate the Minister and Trustees of Saint James’s Church, in the Town of Charlottetown,” was read a third time.

Resolved, That the said Bill do pass.

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

The Bill intituled “An Act to alter and amend the Act incorporating the Minister and Elders of Saint John’s Church, Belfast,” was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Craswell reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

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

A Petition of John Orlebar, John Hancock, and others, styling themselves

“Members of the Charlottetown Young Men’s Christian Association,” praying for the adoption of measures to prohibit the sale of intoxicating liquors as a beverage.

A Petition of the Trustees of Georgetown Grammar School, praying that the allowance of the Teacher of said School may be increased.

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

Mr. Walker, by leave, presented a Petition of the Corporation of the City of Charlottetown, praying that this House will grant the Corporation control over the Common of Charlottetown.

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

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

Friday, 4th April, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Craswell*,

Mr. Haythorne,

Mr. Wright,

Mr. Attorney General,

Mr. Bagnall.

Mr. Walker,

PRAYERS.

Read the proceedings of yesterday.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “An Act to alter and amend the Act incorporating the Minister and Elders of Saint John’s Church, Belfast.” After some time, the House was resumed, and Mr. Craswell reported that the Committee had gone through the Bill, and had made several amendments thereto.

Ordered, That the Report of the Committee be received.

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

Folio 2, line 10.—After the word “Trustees,” insert “together with the Minister of the said Church, for the time being.”

Folio 3, line 10.—After the word “thereof,” insert “together with the Minister of the said Church, for the time being.”

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

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

The Bill intituled "An Act to alter and amend the Act relating to the Charlotte-town Ferry, and the Wharfs connected therewith," was read a second time.

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

Ordered, That the Report of the Committee be received.

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

Folio 5, line 12.—After the word "Town," insert "or before any two of Her Majesty's Justices of the Peace for the County."

Folio 10, line 5.—After the word "this," insert "or the said recited."

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

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

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

Saturday, 5th April, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. *Mr. Haythorne*,

The Hon. *Mr. Craswell*,

Mr. Attorney General,

Mr. Wright,

Mr. Walker,

Mr. Bagnall.

PRAYERS :

Read the proceedings of yesterday.

Pursuant to order, the Bill intituled "An Act to alter and amend the Act incorporating the Minister and Elders of Saint John's Church, Belfast," was, as amended, read a third time.

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

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

Pursuant to order, the Bill intituled "An Act to alter and amend the Act relating to the Charlottetown Ferry and the Wharfs connected therewith," was, as amended, read a third time.

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

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

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

Mr. President ;

The House of Assembly have passed the Bill intituled "An Act further to improve the Law of Evidence," with several amendments, to which they desire the concurrence of the Legislative Council.

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

Folio 4, line 1.—After the word "and," insert "to be."

Folio 5, line 8.—Strike out the word "impute," and insert "impugn."

The said amendments being read a second time, and the question of concurrence being put on each, they were severally agreed to by the House.

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

The Bill intituled "An Act to explain and amend the Statute of limitations of Actions, concerning Real Estate," was, as engrossed, read a third time.

Resolved, That the said Bill do pass.

Dissentient,—Mr. Haythorne.

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

Pursuant to order, the Bill intituled "An Act to increase the Stock of the Charlottetown Gas Light Company," was read a third time.

Resolved, That the said Bill do pass.

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

Adjourned until Monday next, at One o'clock.

Monday, April 7, 1856.

The Council met, pursuant to adjournment.

PRESENT

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Craswell*,

Mr. Haythorne,

Mr. Wright,

Mr. Attorney General,

Mr. Bagnall.

Mr. Walker,

PRAYERS.

Read the proceedings of Saturday.

A Message from the House of Assembly, by Mr. Clark, with a Bill intituled "An Act for raising a Revenue, and to consolidate and amend several Acts therein mentioned," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

The Hon. Mr. Attorney General, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, laid before the House copy of a Despatch from the Right Hon. H. Labouchere, Her Majesty's Principal Secretary of State for the Colonies, dated 4th March, 1856, transmitting Order of Her Majesty in Council, leaving to their operation four Acts passed by the Legislature of Prince Edward Island, in the month of April, 1855.

(See *Appendix No. 9.*)

The Bill intituled "An Act for raising a Revenue, and to consolidate and amend several Acts therein mentioned," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Craswell reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

Ordered, That Mr. Haythorne have leave to enter his protest to-morrow, against the passing of the Bill intituled "An Act to explain and amend the Statute of Limitations of Actions concerning Real Estate."

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

Tuesday, 8th April, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;
 The Hon. *Mr. Swabey*, The Hon. *Mr. Craswell*,
Mr. Haythorne, *Mr. Wright*,
Mr. Attorney General, *Mr. Bagnall*.
Mr. Walker,

PRAYERS.

Read the proceedings of yesterday.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for raising a Revenue, and to consolidate and amend several Acts therein mentioned." After some time the House was resumed, and Mr. Craswell reported that the Committee had made further progress therein, and they recommend, that a Conference be desired with the House of Assembly, on the subject matter thereof; and further, that he was directed by the Committee to move that they may have leave to sit again.

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

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

DISSENTIENT from the passing of the Bill intituled "An Act to explain and amend the Statute of limitations of Actions concerning Real Estate :—

First—Because this Bill is an innovation upon the common law right of the subject, to bring his action for the recovery of lands at any period, and deprive him of the benefit of a disability under which he might labour, recognized as just and equitable, in Imperial legislation, from a very early period, viz :—by the Imperial Acts of the 32d Henry 8th, cap. 2 ; and again recognized by the Imperial Act of the 21st James 1st, cap. 16, down to the latest period of Imperial legislation thereon, by the Imperial Act of the 3d and 4th Will. 4th, cap. 27 ; and also recognized as just and equitable in the Legislature of this Colony from a very early period, viz : by the Colonial Act of the 21st George the 3d, cap. 17,—only seven years after the grant of its representative constitution by King George the Third—down to the Colonial Act of the 7th Wm. 4th, cap. 30, which repealed that part of the Colonial Act of the 21st George 3d cap. 17, relating to the limitations of Actions to be brought for Real Estate, and substituted for it the amendments introduced into the mother country by the Imperial Act of the 3d and 4th Will. 4th, cap. 17, before mentioned.

Secondly—Because this Bill is intended to limit the right of a party to bring an action for the recovery of lands who may be under the disability of being beyond the seas, a disability in itself just and equitable, and constantly acknowledged and allowed as such in all laws passed in the mother country on the same subject, and also in this and all other British Colonies possessing constitutions, or wherein British laws and institutions prevail; and no case has been made out, in debate, or otherwise, by the promoters of this measure, why such an innovation should now take place in this Colony where the same principle has now been in operation, and has been recognized as law from the earliest period of its settlement until the present hour.

Thirdly—Because this Bill is generally so loosely drawn, and is especially so loosely and vaguely worded, as well in its first enacting clause as in that clause purporting to give its construction of what shall be deemed proof of the residence of a party to deprive him of the disability of being beyond the seas, as in my opinion to subject an owner of land actually labouring under such disability, to the risk of being divested of his property by fraud of the grossest nature, and under color and by operation of law.

Fourthly—Because this Bill is an *ex post facto* Act, and being retrospective as well as prospective, is therefore grossly unjust and unconstitutional, and I believe that parties are only waiting its becoming law to take advantage of absentee proprietors of land, and deprive them of their property.

Fifthly—Because this Bill is unjust and inequitable, as having the effect of depriving parties of their property in cases of disputed lines between owners of land, and where division lines have never yet been accurately ascertained between owners of land, as it contains no clause saving the rights of parties so situated, and who may be beyond the seas, and whose rights may not be ascertained and settled until long after this Bill may go into operation, and the provision prohibiting its becoming law until six months after Her Majesty's allowance thereof is proclaimed, is altogether inadequate in cases of this nature.

Sixthly—Because this Bill is manifestly intended to favor a class of persons not, in my opinion, entitled to favorable consideration, viz: the class of persons commonly designated as squatters, and who have, in some cases, located themselves on the lands of parties without their knowledge or consent, and in others, against their consent, and such class appears by the government returns now before this House, to consist of 607 families, occupying in the aggregate 47,447 acres, and who will be the parties chiefly benefited by this unheard of species of legislation.

EDWARD C. HAYTHORNE.

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

Wednesday, 9th April, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable <i>Mr. Young</i> , President ;	
The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Craswell</i> ,
<i>Mr. Haythorne</i> ,	<i>Mr. Wright</i> ,
<i>Mr. Attorney General</i> ,	<i>Mr. Bagnall</i> .
<i>Mr. Walker</i> ,	

PRAYERS ;

Read the proceedings of yesterday.

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

“ Mr. President ;

The House of Assembly have agreed to the amendments made by the Legislative Council, to the following Bills, without any amendment, viz :

A Bill intituled “ An Act to alter and amend the Act relating to the Charlottetown Ferry, and the Wharfs connected therewith.”

A Bill intituled “ An Act to alter and amend the Act incorporating the Minister and Elders of Saint John’s Church, Belfast.”

A Bill intituled “ An Act relating to the Boundaries of the City of Charlottetown, and the jurisdiction of the Mayor’s and Police Courts of the said City, and for other purposes therein mentioned.”

Also, with a Bill intituled “ An Act for appropriating certain moneys therein mentioned, for the service of the year of our Lord One thousand eight hundred and fifty six,”—to which they desire the concurrence of the Legislative Council.

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

Mr. President ;

The House of Assembly do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled “ An Act for raising a Revenue, and to consolidate and amend the several Acts therein mentioned,” and have appointed Mr. Clark, the Hon. Colonial Treasurer, Mr. Muirhead, Hon. Mr. Lord, Mr. Macgill, and Hon. Mr. Wightman, a Committee to manage the said Conference.

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

The Bill intituled "An Act for appropriating certain moneys therein mentioned for the service of the year of our Lord One thousand eight hundred and fifty-six," was read a first time.

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

Mr. President;

The House of Assembly have passed the Bill intituled "An Act to explain and amend the Statute of limitations of Actions concerning Real Estate," with an amendment, to which they desire the concurrence of the Legislative Council.

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

Folio 9, line 6.—Strike out the word "six," and insert "twelve."

The said amendment being read a second time, and the question of concurrence being put thereon, it was agreed to by the House.

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

The Bill intituled "An Act for appropriating certain moneys therein mentioned, for the service of the year of our Lord One thousand eight hundred and fifty-six," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Walker reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

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

Mr. President;

"The House of Assembly desire a further Conference with the Legislative Council, on the Bill intituled "An Act for raising a Revenue, and to consolidate and amend several Acts therein mentioned," and have appointed the same Committee who managed the last Conference thereon, a Committee to manage this further Conference."

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

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

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

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

Resolved, That a further Conference be desired with the House of Assembly, on the Bill intituled "An Act for raising a Revenue, and to consolidate and amend several Acts therein mentioned."

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for appropriating certain moneys therein mentioned for the service of the year of our Lord One thousand eight hundred and fifty-six." After some time, the House was resumed, and Mr. Walker reported that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

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

Thursday, 10th April, 1856.

The Council met, pursuant to adjournment.

PRESENT

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Craswell*,

Mr. Haythorne,

Mr. Wright,

Mr. Attorney General,

Mr. Bagnall.

Mr. Walker,

PRAYERS.

Read the proceedings of yesterday.

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

Mr. President ;

The House of Assembly do agree to a further Conference, as is desired by the Legislative Council, on the Bill intituled "An Act for raising a Revenue, and to consolidate and amend several Acts therein mentioned," and have appointed the same Committee who managed the former Conferences thereon, a Committee to manage this further Conference.

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

A Message from the House of Assembly, by the Hon. Colonial Secretary, with a Bill intituled "An Act to amend the Act incorporating the Bank of Prince Edward Island," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

A Message from the House of Assembly, by the Hon. Mr. Whelan, with a Bill intituled "An Act to increase the number of Members to serve in the General Assembly, and to consolidate and amend the Laws relating to Elections," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

A Message from the House of Assembly, by Mr. Haviland, with a Bill intituled "An Act for barring Estates Tail," to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for appropriating certain Moneys therein mentioned for the service of the year of our Lord One thousand eight hundred and fifty-six." After some time, the House was resumed, and Mr. Walker reported that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

The Bill intituled "An Act to amend the Act incorporating the Bank of Prince Edward Island," was read a second time.

Two Messages from the House of Assembly, by the Hon. Mr. Whelan.

FIRST MESSAGE:

"House of Assembly, April 9th, 1856.

"Resolved, That an humble Address be presented to Her Majesty the Queen, in reference to several Memorials and Petitions,—copies of which have been laid before the Legislature—of certain Land Proprietors, to Her Majesty, relative to the Rent Roll and Tenant compensation Bills, and praying that the Royal interference and clemency may be exercised, with the view of relieving the Colony from the anomalous position in which it is placed, from its being practically under the sway of a power so foreign to the constitution as that of a body of land proprietors, chiefly non-resident,—and that the Legislative Council be requested to join in the said Address.

“Ordered, That the Hon. Mr. Whelan, Mr. Muirhead, the Hon. Mr. Lord, Mr. Macgill, Hon. Mr. Mooney and Mr. Macdonald, be a Committee, on the part of this House, to prepare the said Address.

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

SECOND MESSAGE :

“House of Assembly, 9th April, 1856.

“Resolved, That an humble Address be presented to Her Majesty the Queen, praying that the Imperial Government will aid the local Administration in carrying out the recommendation of Her Majesty’s present Colonial Minister, with respect to the further purchase of Township Lands in this Island, and that the Legislative Council be requested, by message, to join in the said Address.

“Ordered, That the Hon. Mr. Whelan, Mr. Muirhead, Hon. Mr. Lord, Mr. Macgill, Hon. Mr. Mooney, and Mr. Macdonald, be a Committee, on the part of this House, to prepare the said Address.

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

Resolved, That a Committee of this House be appointed to join the Committee of the House of Assembly, to prepare an humble Address to Her Majesty the Queen, in reference to several Memorials and Petitions—copies of which have been laid before the Legislature—of certain land proprietors to Her Majesty, relative to the Rent Roll and Tenant compensation Bills, and praying that the Royal interference and clemency may be exercised with the view of relieving the Colony from the anomalous position in which it is placed, from its being practically under the sway of a power so foreign to the constitution, as that of a body of land proprietors, chiefly non-resident.

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

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

Resolved, That a Committee be appointed to join a Committee of the House of Assembly, to prepare an humble Address to Her Majesty the Queen, praying that the Imperial Government will aid the local Administration in carrying out the recommendation of Her Majesty’s present Colonial Minister, with respect to the further purchase of Township Lands in this Island.

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

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

Then the House adjourned for one hour.

And being met—

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “An Act for appropriating certain moneys therein mentioned, for the service of the year of our Lord One thousand eight hundred and fifty six.” After some time, the House was resumed, and Mr. Walker reported that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled “An Act to amend the Act incorporating the Bank of Prince Edward Island.” After some time, the House was resumed, and Mr. Swabey reported that the Committee had gone through the Bill, and had agreed to the same, without any amendment.

Ordered, That the Report of the Committee be received.

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

The Bill intituled “An Act for barring Estates Tail,” was read a second time.

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

Ordered, That the Report of the Committee be received.

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

Folio 11, line 6.—After the word “been,” insert “or have been intended to have been.”

Same folio, line 11.—After the word “been,” insert “or have been intended to have been.”

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

Ordered, That the said amendments be engrossed.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “An Act for appropriating certain Moneys therein mentioned for the service of the year of our Lord One thousand eight hundred and fifty-six.” After some time the House was resumed, and Mr. Walker reported that the Committee had made further progress therein, and they recommend, that a Conference be desired with the House of Assembly, on the subject matter thereof; and further, that he was directed by the Committee to move that they may have leave to sit again.

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

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

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

“ Mr. President ;

The House of Assembly do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled “ An Act for appropriating certain Moneys therein mentioned, for the service of the year of our Lord One thousand eight hundred, and fifty-six,” and have appointed the Hon. Colonial Treasurer, Hon. Colonial Secretary, Mr. Muirhead, and Mr. Macgill, a Committee to manage the said Conference.

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

The Bill intituled “ An Act for barring Estates Tail,” was, as amended, read a third time.

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

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

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

Mr. President ;

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

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

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

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

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “ An Act for appropriating certain moneys therein mentioned for the service of the year of our Lord One thousand eight hundred and fifty-six.” After some time, the House was resumed, and Mr.

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

Ordered, That the Report of the Committee be received.

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

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

Friday, 11th April, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. <i>Mr. Swabey</i> ,	The Hon. <i>Mr. Craswell</i> ,
<i>Mr. Haythorne</i> ,	<i>Mr. Wright</i> ,
<i>Mr. Attorney General</i> ,	<i>Mr. Bagnall</i> .
<i>Mr. Walker</i> ,	

PRAYERS.

Read the proceedings of yesterday.

Pursuant to order, the Bill intituled "An Act to amend the Act incorporating the Bank of Prince Edward Island," was read a third time.

Resolved, That the said Bill do pass.

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

The Bill intituled "An Act to increase the number of Members to serve in the General Assembly, and to consolidate and amend the Laws relating to Elections," was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Bagnall reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

Mr. Attorney General, by leave, presented a Petition of John W. Morrison, Charles Ives Burnett, and other Inhabitants of Prince Edward Island, styling themselves "Sons of Temperance," and others, setting forth the evils arising from the traffic in intoxicating Liquors, and praying that a Law may be enacted to prohibit the manufacture, importation and sale of Spirituous Liquors.

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

Then the House adjourned for one hour.

And being met—

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

Mr. President;

“The House of Assembly have agreed to the Amendments made by the Legislative Council to the Bill intituled “An Act for barring Estates Tail,” without any amendment.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “An Act to increase the number of Members to serve in the General Assembly, and to consolidate and amend the Laws relating to Elections.” After some time, the House was resumed, and Mr. Bagnall reported that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

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

Saturday, 12th April, 1856.

The Council met, pursuant to adjournment.

PRESENT :

The Honorable *Mr. Young*, President ;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Craswell*,

Mr. Haythorne,

Mr. Wright,

Mr. Attorney General,

Mr. Bagnall.

Mr. Walker,

PRAYERS :

Read the proceedings of yesterday.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “An Act to increase the number of Members to serve in the General Assembly, and to consolidate and amend the Laws relating to Elections.” After some time, the House was resumed, and Mr. Bagnall reported that the Committee had gone through the Bill, and had agreed to the same without any amendment.

Ordered, That the Report of the Committee be received.

Ordered, That the said Bill be read a third time on Monday next.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “An Act for raising a Revenue,

and to consolidate and amend several Acts therein mentioned." After some time, the House was resumed, and Mr. Craswell reported that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read a third time.

Resolved, That the said Bill do pass.

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

A Message from the House of Assembly, by the Hon. Colonial Secretary, with a Bill intituled "An Act to consolidate and amend the Laws relating to Weights and Measures, to which they desire the concurrence of the Legislative Council.

The said Bill was read a first time.

The said Bill was then read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Walker reported that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

Pursuant to order, the Bill intituled "An Act for appropriating certain Moneys therein mentioned for the service of the year of our Lord One thousand eight hundred and fifty-six," was read a third time.

Resolved, That the said Bill do pass.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to consolidate and amend the Laws relating to Weights and Measures." After some time, the House was resumed, and Mr. Walker reported that the Committee had gone through the Bill, and had agreed to the same without any amendment.

Ordered, That the Report of the Committee be received.

Ordered, That the said Bill be read a third time on Monday next.

Adjourned until Monday next, at ten o'clock.

Monday, 14th April, 1856.

The Council met, pursuant to adjournment.

PRESENT

The Honorable *Mr. Young*, President;

The Hon. *Mr. Swabey*,

The Hon. *Mr. Craswell*,

Mr. Attorney General,

Mr. Wright,

Mr. Walker,

Mr. Bagnall.

PRAYERS.

Read the proceedings of Saturday.

Pursuant to order, the Bill intituled "An Act to increase the number of Members to serve in the General Assembly, and to consolidate and amend the Laws relating to Elections," was read a third time.

Resolved, That the said Bill do pass.

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

Pursuant to order, the Bill intituled "An Act to consolidate and amend the Laws relating to Weights and Measures," was read a third time.

Resolved, That the said Bill do pass.

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

Mr. Swabey, from the joint Committee of the Council and Assembly, appointed to prepare an Address to Her Majesty the Queen, in reference to several Memorials and Petitions of certain land proprietors to Her Majesty, against the Rent Roll and Tenant Compensation Bills, presented the draft of an Address, as prepared by the joint Committee, and the same was read and agreed to, and is as followeth:

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign:

We Your Majesty's loyal subjects, the Legislative Council and House of Assembly of Prince Edward Island in Parliament assembled, most humbly submit for your Royal consideration the following premises:

During the last Session of the Legislature, two Bills received the concurrence of both branches and the approval of Your Majesty's Representative, which Bills were respectively intituled "An Act to secure compensation to Tenants, and thereby to promote the improvement of the soil," and "An Act to impose a rate or duty on the Rent Rolls of the Proprietors of certain rented Township Lands in Prince Edward Island, in order to defray the expenses of any armed force which may be required on account of the withdrawal of the Troops, and for the further encouragement of Education." These Bills were agreed to by the Legislature, almost unanimously—the first having passed the Assembly without any division being taken against it, while in the Legislative Council it was opposed by two members only. The second Bill received the opposition of only two members in each branch of the Legislature. But when they were forwarded to your Majesty for the royal confirmation, they were accompanied, as we have since learned, by several memorials and remonstrances signed by a few Land Proprietors in this Colony, and by the Agents of many others who reside in England and elsewhere—a class of persons who have little or no sympathy in common with the inhabitants of this Island, who derive much profit and advantage from the industry of our population, and contribute an insignificantly small share of the public burthens.

It appears by a Despatch from one of your Majesty's Ministers, the Right Hon. Sir George Grey, dated 17th November, 1855, an extract of which has been submitted to the Legislature, that your Majesty's advisers could not advise your Majesty to assent to the Bills under consideration, for certain reasons set forth in the Despatch, and for other reasons more particularly detailed in the Memorials of the Pro-

prietors. We have carefully and dispassionately considered the objections advanced by your Majesty's Secretary of State, as well as the allegations of the Memorialists, and we beg to assure your Majesty that the former appear to us as based on the most untenable grounds, while we have been under the painful necessity of shewing the latter to be, for the most part, untrue, as may be seen by a series of Resolutions severally agreed to in the two Houses of Legislature, and recorded on their Journals.

While we sincerely regret that the Tenants' compensation and Rent Roll Bills were deemed unworthy of your Majesty's favourable consideration, we offer no complaint against the exercise of the Royal prerogative in this matter; but when we find that measures can be frustrated by palpable misrepresentation—which measures are deemed to be essential to the welfare of the Colony by those to whom the guardianship of its rights and interests is entrusted, and who are, from their local position, best qualified to form a correct judgment as to the requirements of the Colony—it is our duty to acquaint your Majesty that a grievous wrong is inflicted upon a loyal and dutiful people; and we are forced to the painful expression of our conviction, that although unshaken is our confidence in your Majesty's gracious consideration for the interests of all classes of your Majesty's subjects, the people of Prince Edward Island cannot but feel themselves degraded below the level of their fellow subjects in other parts of the Empire, and the privileges of self-government now so highly valued in the Colony, be rendered entirely nugatory. If your Majesty's advisers should continue to be led into error by misrepresentations, and the constitutional action of our representative institutions be suspended, by the covert and selfish designs of persons who are entrusted with no authority, acknowledge no responsibility, and are apparently insensible to the best interests of the community at large.

We do not deny that the Land Proprietors, or any other class of our fellow subjects, whether resident in the Colony or not, have an unquestionable right to appeal to your Majesty against the enactment of any law by which their interests are expected to be affected.

We only complain that the exercise of this ancient right, as is the case with respect to the memorials of the land proprietors, should be unhappily coupled with calumnious allegations against the people of a loyal Colony, and wilful misrepresentations of the acts and motives of the Legislature, to whose care the interests of that people are entrusted, and that representations are frequently made to the Colonial Office which we can have no opportunity of rebutting.

The prayer of this humble Address is, therefore, that your Majesty may be pleased to give such consideration to our just complaint, and to the facts herein set forth, as will rescue this portion of your Majesty's dominions from the humiliating and anomalous position of being, in a great measure, subject to the domination of a power so foreign to the constitution as that which is permitted to be exercised by land proprietors, chiefly non-resident, and their Agents; and that since your Majesty has been graciously pleased to concede to us Responsible Government, under which the management of our local affairs was believed to belong to ourselves,—our further prayer is, that under your Majesty's august and happy reign, the small dependency of Prince Edward Island may not be placed in a worse position than its sister Colonies, with respect to the full enjoyment of its just and constitutional privileges.

Mr. Swabey, from the joint Committee of the Council and Assembly appointed to prepare an Address to Her Majesty the Queen, praying that the Imperial Government will aid the local Administration in carrying out the recommendation of Her Majesty's present Colonial Minister, with respect to the further purchase of Township Lands in this Island, presented the draft of an Address, as prepared by the Committee, and the same was read, and agreed to, and is as followeth:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign ;

Your Majesty's loyal and dutiful subjects, the Legislative Council and House of Assembly of Prince Edward Island, in Parliament convened, have had under their earnest consideration, during the present Session, a Despatch addressed to His Excellency the Lieutenant Governor of this Island, by your Majesty's principal Secretary of State for the Colonies, dated "Downing Street 21st December, 1855," in reference to the long agitated question of the land tenures in this Island ; from which Despatch we beg to make the following extract, for your Majesty's Royal consideration :—

"With regard to the main object which has been frequently proposed by a large portion of the inhabitants, namely, that some means may be provided, by which a tenant holding under a lease may arrive at the position of fee simple proprietor, I am anxious to facilitate such a change, provided that it be effected without injustice to the proprietors.

"There are but two ways in which such a change could be effected. The first is the usual and natural one of purchase and sale between the tenant and the owner; and no reason appears as yet to have been stated why, if the tenants offer to the land-owners the full value of the right and interest of the land-owner, sales and purchases cannot be effected. It would seem probable that at all events in the case of non-resident owners, such fair offers would generally be accepted, and as the lands are usually let upon leases of extraordinary length, and at a small annual rent, there can, it would seem, be but few tenants who would not find the means of offering a fair price for buying up the annual rent of their holding.

"The other method would be, that the Government of the Island should treat with such of the land-owners as might be willing to sell, and that the State thus becoming possessed of the fee simple of such lands as might thus be sold, should be enabled to afford greater facilities for converting the tenants into freeholders than the landlords themselves might feel an interest in doing.

"An arrangement of this kind could probably not be made without a loan to a considerable amount, to be raised by the Island Government, the interest thereof to be charged upon the Revenues of the Island. But Her Majesty's Government would not be indisposed to take into consideration any plan of this kind which you might submit to them, showing in what way the interest of such loan could locally be provided for, and what arrangements would be proposed as to the manner of disposing of the lands of which the fee simple might so be bought up."

Your Majesty's Secretary of State seems not to have been made aware that there is a law upon our Statute Book authorising the Government to purchase the Township Lands in this Island ; but by this Law, the Government cannot exceed, in making such purchases, the sum of £30,000, and the whole of the Revenues of the Colony are pledged to the redemption of that amount.

The Law in question is now in operation, but its beneficial results can only be felt to a very limited extent by the smallness of the amount which can be appropriated to the extinction of proprietary claims.

We humbly conceive that if all the Township Lands were purchased by the Government, there would be a sufficient sum realised by their re-sale to cover the expence incurred, the interest of the money employed, as well as its repayment, while the advantages would be incalculable which this loyal colony would derive from such a measure, by its stimulating the enterprise and industry of its inhabitants, now in a great measure paralyzed by the long-prevailing contention between landlords and tenants, and restoring tranquillity and contentment.

As your Majesty's Secretary of State has been pleased to say that your Majesty's Government would not be indisposed to take into consideration any plan for extinguishing by purchase, the rights of proprietors, we beg humbly to suggest, that if your Majesty's Government will give a guarantee

for any sufficient loan required, as alluded to by the Secretary of State, the Legislature of the Colony will, in its next Session, make the necessary provision for the payment of its interest ; and in offering this suggestion, we are convinced that no loss would be sustained by your Majesty's Government.

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

“ House of Assembly,

“ Monday, 14th April 1856.

“ Resolved, That a Committee of this House be appointed to join a Committee of the Legislative Council, to prepare an Address to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to transmit the two joint Addresses to Her Majesty respecting certain Despatches from the Secretary of State for the Colonies, and also certain memorials of land proprietors.

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

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

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

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

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

Mr. Swabey presented to the House the draft of an Address to His Excellency the Lieutenant Governor, and the same was read, and agreed to, and is as followeth :—

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

May it please your Excellency :

The Legislative Council and House of Assembly having agreed, jointly, to address Her Majesty the Queen, on the subject of certain Memorials of Land Proprietors, and others, praying that the Royal assent might be withheld from two Acts of the Legislature, passed in its last Session, namely, “ An Act to secure compensation to Tenants in cases of Ejectment,” and “ An Act to impose a duty on the Rent Rolls of certain Proprietors of Lands,”—respectfully request that your Excellency will be pleased to transmit the same, at your earliest convenience, to be laid at the foot of the throne.

And having also agreed to a joint Address on the subject of a Despatch received from Her Majesty's principal Secretary of State for the Colonies, respecting the purchase of proprietary lands, they fur-

ther respectfully request your Excellency to cause the same to be forwarded, so that it may be laid at the foot of the throne.

The House took into consideration the incidental Expenses of the present Session, and allowed the same as follow, viz :—

The Rev. Charles Lloyd, Chaplain to this House, for his services,	£31	4	0
Henry Palmer, Esquire, Gentleman Usher of the Black Rod, and Sergeant at Arms, 53 days,	-	-	26 10 0
Clerk of Council, for Stationery, and for printing performed by order of the House,	-	-	29 18 0
William Minns Howe, Esquire, for his services as Reporter,—to be paid to him on the Certificate of the Committee appointed to make arrangements for the efficient reporting of the debates of this House,	-	-	50 0 0
Patrick Furlong, Messenger to this House, for his services, and including his account for sundry disbursements,	-	-	90 9 11
John Hobbs, Doorkeeper, for his services as such,	-	-	21 7 6
An amount sufficient to pay Mr. John Ings, for his services in printing the Journals of this House, agreeably to his contract,—to be paid to him, on the Certificate of the Committee appointed to revise the Journals.			

Resolved, That the Clerk of this House be directed to prepare an Index to the Journals of the present Session, and that a remuneration of One hundred and thirty pounds be made to him for his extra trouble in preparing said Index, and also for superintending the printing of the Journals, and for other services,—that fifty pounds be paid to him at the end of the Session, a further sum of fifty pounds on the thirtieth day of June next, and the balance, being thirty pounds, be paid to him when he shall have received from the Committee appointed to revise the Journals, a Certificate of his having prepared said Index, and superintended said printing, to their satisfaction.

Resolved, That the Assistant Clerk of the House be directed to assist the Chief Clerk in preparing the Index to and superintending the printing of the Journals, and that a remuneration of twenty pounds be made to him for his extra trouble in so doing, the same to be paid to him when the Chief Clerk shall be entitled to receive the last instalment of the sum voted to him by the last preceding Resolution.

Resolved, That the printing of the Debates of this House during the present Session, be paid for at the same rate as the printing of the Debates of the House of Assembly.

Mr. Swabey, from the joint Committee of the Council and Assembly appointed to wait upon His Excellency the Lieutenant Governor with the Address, praying His Excellency to transmit the two joint Addresses to Her Majesty the Queen, reported the delivery thereof, and that His Excellency was pleased to say, he would take the earliest opportunity of forwarding the said Addresses to Her Majesty.

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

The House of Assembly, with their Speaker, having attended accordingly, His Excellency was pleased, in Her Majesty's name, to give his assent to the following Bills, viz :—

An Act to continue the Act for the regulation of the Mackerel Fishery.

An Act to continue the Act relating to the laying down, erection and maintenance of Buoys and Beacons in this Island.

An Act to protect Justices of the Peace from vexatious actions.

An Act to amend the Law in this Island, as to Ejectments and Distresses, and as to the occupation of Lands.

An Act to facilitate the performance of the duties of Justices of the Peace in this Island, with respect to persons charged with indictable offences.

An Act to facilitate the performance of the duties of Justices of the Peace, with respect to summary convictions and orders.

An Act to authorize the Government to prohibit the exportation of Saltpetre and other Chemical Salts.

An Act relating to the Indians of Prince Edward Island.

An Act for transferring to one of Her Majesty's principal Secretaries of State, the powers and estates vested in the principal Officers of the Ordnance.

An Act to increase the Stock of the Charlottetown Gas Light Company.

An Act to incorporate the Trustees of Saint David's Church, in Georgetown.

An Act further to improve the Law of Evidence.

An Act relating to the Boundaries of the City of Charlottetown, and the jurisdiction of the Mayor's and Police Courts of the said City, and for other purposes therein mentioned.

An Act to explain and amend the Statute of Limitations of Actions concerning Real Estate.

An Act in further amendment of the Act to incorporate the Minister and Trustees of Saint James's Church, in the Town of Charlottetown.

An Act to alter and amend the Act relating to the Charlottetown Ferry, and the Wharfs connected therewith.

An Act to alter and amend the Act incorporating the Minister and Elders of Saint John's Church, Belfast.

An Act to amend the Act incorporating the Bank of Prince Edward Island.

An Act to increase the number of Members to serve in the General Assembly, and to consolidate and amend the Laws relating to Elections.

An Act for barring Estates Tail.

An Act to consolidate and amend the Laws relating to Weights and Measures.

After which, the Speaker of the House of Assembly addressed His Excellency as followeth :—

On behalf of Her Majesty's faithful Commons of Prince Edward Island, I have now to present the following Bills of aid and supply voted to Her Majesty during the present Session, to which I have respectfully to request your Excellency's assent, viz :—

An Act to repeal the Act relating to Light and Anchorage Duties, and to make other provisions in lieu thereof.

An Act to consolidate and amend the Acts regulating the sale, by License, of Spirituous Liquors.

An Act for raising a Revenue, and to consolidate and amend several Acts therein mentioned.

An Act for appropriating certain moneys therein mentioned, for the service of the year of our Lord One thousand eight hundred and fifty-six.

To each of which His Excellency was pleased, in Her Majesty's name, to give his assent.

And then His Excellency was pleased to make the following Speech to both Houses :—

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

In bringing the Session to a close, I avail myself, with much satisfaction, of the occasion to congratulate you on the spirit with which you have applied yourselves to the public business, and the measures which you have thus been enabled to accomplish.

Mr. Speaker and Gentlemen of the House of Assembly:

I thank you, in Her Majesty's name, for the supplies which you have granted for the public services. It will be my care to protect the public interests in their due application to the services for which they are intended.

I trust that the appropriation for Steam communication with the neighbouring Provinces may prove sufficient for that important object.

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

The Despatches from the Secretary of State having reference to Proprietary Titles in this Island, which it was my duty to communicate to you, afford abundant evidence that the decisions of Her Majesty's Government in this respect, will be inflexibly maintained. Agitation on this subject may produce a certain amount of evil, but it is manifest that it can in no way be productive of advantage.

I trust there are sufficient grounds to justify the expectation that at an early day we shall have authentic information of the termination of the War; and that peace having been happily restored to Europe, the honor and glory of England and her illustrious Allies will have been enhanced by the terms upon which it may be attained. I am happy to feel assured of the extent to which you participate in my sentiments on this subject.

I am well aware that the people of this Island have long been distinguished for that spirit of devoted loyalty which springs from a cherished regard for the institutions of our common Country; and as it is our duty, in our several stations, to strengthen and confirm this feeling, I invite you, in returning to your homes, to lose no opportunity of impressing them with a just sense of Her Majesty's benevolent desire for their welfare, and the advantage to themselves of continuing to cultivate that habitual respect for the laws and constituted authorities which characterize men and communities who respect their own rights; and who, appreciating the blessings which under Providence they have acquired, would transmit them unimpaired to their posterity.

After which, the President of the Council said:

Honorable Gentlemen of the Legislative Council; and
Gentlemen of the House of Assembly;

It is the will and pleasure of His Excellency the Lieutenant Governor, that this General Assembly be prorogued until Tuesday the Twenty-seventh day of May next, and this General Assembly is accordingly prorogued until Tuesday, the Twenty-seventh day of May next, to be then here holden.

CHARLES DESBRISAY,
Clerk of Legislative Council.

END OF THE SECOND SESSION.



APPENDIX

TO

THE JOURNAL

OF THE

LEGISLATIVE COUNCIL,

OF

PRINCE EDWARD ISLAND.

**FOR THE SESSION COMMENCING THE FOURTEENTH FEBRUARY AND ENDING
THE FOURTEENTH APRIL,**

1856.



APPENDIX No. 1.

(See page 14.)

Extract of a Despatch from Secretary Sir George Grey, of the 17th November, 1855.

"I have to acknowledge your Despatches, by which you transmit to me, for Her Majesty's sanction, two Acts passed by the Legislature of Prince Edward Island, in the month of April last, intituled respectively:—

" 'An Act to impose a Rate or Duty on the Rent Rolls of the Proprietors of certain Township Lands in Prince Edward Island, in order to defray the expenses of any Armed Force which may be required on account of the withdrawal of the troops; and for the further encouragement of Education;' and 'An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the Soil;' both of which Acts contain suspending clauses reserving them for the assent of the Crown and; also transmit representations from various parties interested in the subject of these Acts.

" Her Majesty's Government have considered those Acts separately, and with an anxious desire to do justice between the Community of Prince Edward Island in general and the Proprietors of the Soil, and to allow the fullest possible scope to the principle of local independence in Legislative matters, subject only to their paramount duty not to advise the Crown to assent to any measure inflicting manifest wrong on any of Her subjects.

" I regret to be obliged to inform you that Her Majesty's Government find themselves unable to advise Her Majesty to give Her assent to either the one or the other of these Acts.

" If the Legislature of Prince Edward Island should find that the Revenue of the Island is not sufficient to defray the public expenses of the Colony, and if those expenses cannot be diminished by any economical revision without detriment to the public service, a general tax affecting alike all incomes arising in any way from land, from houses, from trade, from manufactures, from salaries, or from any other source, might be a fair and proper mode of providing the requisite funds; and if such an Act were passed (with sufficient reason shewn for it)—applying equally to landowners and tenants, to pro-

prietors and occupiers—such a measure would be free from objection.

" The measure intituled 'an Act to secure compensation to Tenants' is one to which Her Majesty's sanction must be refused, because its plain and direct tendency is to transfer property in land from the owner to the tenant. This Bill provides that where a tenant is unable or unwilling to fulfil the contract between him and the landowner, by which the tenant has agreed to pay to the landowner a fixed annual rent, usually very small in amount, for the land which he holds, the landlord must either forego the rent, and thus let the land pass practically to the tenant, or he must pay to the tenant a sum equal to twenty years purchase of what is termed the annual profit to the landlord, created by the tenant's or lessee's improvements on the soil,—the amount of which payment would in many cases be equal to the marketable value of the fee simple of the land. In the one case he would make over to the tenant the land itself: in the other case, he would make over to the tenant a sum which might even go beyond the value of the land.

" It is needless to enumerate all the objections which apply to this measure, and the more so as they are ably stated in the Memorial presented against it by some of the owners of land, and transmitted with your Despatch of the 2d July last. But I cannot refrain from remarking that those lands in Prince Edward Island, on which any great improvements have been made by tenants, were let in a state of wilderness, at the almost nominal rent of ninepence or a shilling an acre, on the express understanding that they were to be brought into cultivation by the tenant; that to secure to the tenant the enjoyment and profit of his improvements, leases of extraordinary length were given; and that a tenant who, by misfortune or other cause, is unable to pay that insignificant rent, is always at liberty to sell his lease to the best bidder, and thus to realize in the market the value of the improvements he may have made."

A true Extract,
M. B. DALY, Private Secretary. }

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Copy of a Letter from Mr. R. B. Stewart to Lord John Russell, praying that the Royal Assent may be withheld from certain Bills passed last Session of the Legislature.

CHARLOTTETOWN, PRINCE EDWARD ISLAND,
MAY 19th, 1855.

MY LORD—

As the Proprietor of about 80,000 acres of land in this Colony, I beg to be permitted to address your Lordship, on the purport and objects of certain Acts recently passed by the Colonial Legislature, and about to be transmitted for the Royal Assent. I am but too well aware of the amount of self-government conceded to the inhabitants of this Colony, and exercised by them in unlimited or universal suffrage, still I cannot willingly believe that Her Majesty's Government intend to denude themselves of their just right and prerogative as a Court of Appeal in extreme cases of injustice, such as those intended here, and to which I now entreat your Lordship's attention.

1. "An Act to impose a Rate or Duty on the Rent Rolls of the Proprietors of certain rented Townships Lands in Prince Edward Island, in order to defray the expenses of any Armed Force which may be required on account of the withdrawal of the Troops, and for the further encouragement of Education."

The proposed rate or duty is to be 5 per cent upon the annual rental of each proprietor of more than 500 acres of land, whether the rent be paid or unpaid. An exclusive tax to be solely levied upon one kind of income, may well be deemed unjust and oppressive. A penal tax upon the ownership of wilderness land, in the form of that Land Assessment to which I am already subjected, is now intended to be seconded by a penal tax upon the rental of leased land; a penal tax, I ought to say, upon our bad debts; for at least 50 per cent of the rents due to me under lease, may well be termed bad debts, and not recoverable without an outlay of time, money and trouble, which may demand the sympathy of British noblemen and gentlemen, unused to such evils and annoyances in the recovery of their just dues from tenants on their lands. By one existing local law of this Colony, the landlord is debarred from the remedy open to all other classes of Her Majesty's subjects—the small Debt Court; by another existing local law, the process of distraint for rent is rendered so difficult as to be almost impossible, especially on property managed by Agents. By means of my own active personal agency on my own land, and by the aid of two or three active, honest, and resolute followers, I am able occasionally to effect a distraint by way of making example of some more than ordinarily knavish or insolent tenant; but this cannot be done without employing two or three men, and those actuated by attachment and good feeling towards myself, instead of the one man for whom the law allows me to charge expenses; and by maintaining and supporting, as it were, a garrison in the enemy's stronghold during the injuriously long period to which the law has extended the time for holding possession of the distrained goods, before sale. The preamble of the Act against which I address your

Lordship recites that the proprietors, by certain covenants in their leases, contrive to evade the payment of the Land Assessment, and to saddle the tenant with it. The tenants indeed are generally bound by their leases to pay the Land Assessment, as well as their rent, much as tenants in England are bound to pay tithes and rates, but many of our Tenants here pay neither Land Assessment nor rent; and if the proprietor in such case do not pay the Land Assessment, his freehold is proclaimed and sold by the Sheriff. Besides this, and much more than this, is the oppressive penal tax on wilderness or unoccupied land on which there is neither lease nor tenant; the proprietor cannot even attempt to evade the tax upon this portion of his property; in my case it amounts to nearly as much as all the rents which I receive from my leased land. The preamble of this Act, and its consecutive sections, cannot but strike any impartial reader as breathing the strongest spirit of hostility to the landlord, speaking of "Proprietors, factors trustees, receivers, or owners of more than 500 acres of land," much in the same tone as some old Acts of Parliament use in denouncing rogues, thieves and vagabonds, to be suppressed and put down for the benefit of the community. With regard to any armed force which may be required on account of the removal of the troops, our local Legislature are not likely to deem such force necessary for any purpose, and most assuredly not for the benefit of the proprietors, in enabling them to recover their rents in the face of open and violent resistance to the Sheriff, as I myself can testify from experience. Nor was the case different under the old or exclusive regime. The late Col. Lane, when acting as administrator of the Government after the decease of Sir Donald Campbell, assured me that he had instructions, forbidding any such employment of the military force. This was in reply to my application to him on the circumstance of one of my tenants having stabbed a Sheriff's officer with a bayonet, and when at length arrested at my suit, he was rescued from the hands of the said officer by a mounted body of armed ruffians, who were accompanied, and seconded by, a member of the Legislative Assembly. The proprietor can look for no benefit from any armed force, and surely he at present contributes, under the Land Assessment Act, more than a fair or just proportion of his means for the encouragement of public Education.

2. "An Act to secure compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the soil." By this Act it is intended that when a tenant is in arrear of rent, and the landlord would proceed by the usual mode of distraint, followed, when nothing can be found upon which to distrain, by an action of ejectment, the tenant shall compel his landlord in the first place to compensate him, the tenant, for whatever improvements may have been made upon the land, since the commencement of the term, the value of such improvements to be ascertained by arbitration. Until within the last nine years, the period during which I have been a resident proprietor in this Colony, I was intimately acquainted with the practice and theory of the management of landed estates in Great Britain. The present Act does certainly seem to me a monstrous innovation upon all those principles which I had been accustomed to consider fixed and established by justice and usage, in regard to such

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property. But the evil of such an Act as this would be less extreme in Great Britain than in this Colony, wherein ninety nine persons out of every hundred have a direct fellow feeling and personal interest on behalf of the tenant, and quite the reverse towards a landlord. I do not hesitate to say that justice is quite out of the question, and could not be hoped for, under such arbitration. The Act would have, and is intended to have, in connexion with other Acts, the effect of depriving the landlord of every remedy, other than the expensive one of an action at law in the Supreme Court of Judicature,—the rent being no more than one shilling per acre per annum, the defendant being generally destitute alike of property and of principle, the jury being unavoidably composed of tenants, or persons interested for tenants, or hoping themselves to become freeholders, without purchasing their land, and the sanctity of an oath being but little regarded when a proprietor is to be injured by its infraction. Under all these adverse influences or circumstances, the landlord has but little chance of succeeding, and still less chance of benefitting by his success, if he should gain his suit. Direct intimidation and threats then are brought to bear against any person daring to take, or to treat with the landlord for taking the vacant farm—intimidation and threats of injury both to property and person. It is evident that for the most part, the improvements of the outgoing tenant can be of no value to the landlord, beyond the amount which an incoming tenant would pay for them, when fairly and without undue haste, brought to sale by public auction in the usual way. The value of clearing the land of trees, and bringing it under cultivation, is very generally reduced and destroyed by the tenants improvidently cropping and exhausting the soil, so that many of those very persons who, as arbitrators, would be likely to go to the utmost extent against the landlord, would be equally likely to say, in case of the farm being offered to themselves, that they would much rather take a green wood or wilderness farm at once, and “have all the good out of it to themselves” to say nothing of the timber trees, which the tenant invariably cuts from every part of his farm, and (if not closely watched), from the proprietor’s vacant land also, long before more than a very small part of the said farm be brought into cultivation. In common fairness, an Act ought to be passed to give compensation to the landlord for depredations and theft by the out-going tenant. I have had a tenant greatly in arrears, who never paid any rent, and who actually removed and sold from the premises a good part of the farm buildings, before making his exit.

3. In an Act relative to Highways there is the following clause. When land held by a tenant or lessee, under lease, or agreement, or a part thereof, shall be laid off or taken for a line of highway or road, the tenant or lessee shall be discharged from any further or future payment to the lessor or landlord, in respect of the said land, or of a part or proportion thereof, according to the extent or area of the land taken for the highway or line of road.

I believe this enactment to be an unprecedented novelty in legislation, and quite unjust in principle. The Land Assessment is levied upon the entire area of each Township, road and all. The Act of which the above extract forms a part, or some other Act, was passed by the House of Assembly

with a provision, that in case a road-way should ever be stopped up, as not being required, the fee simple of the area which had been occupied by the said road-way should go to the tenant and not to the landlord. This enactment was not passed by the Legislative Council. I may also state that an Act was passed by the House of Assembly during its recent Session, requiring proprietors to put their titles on record, before recovering rents from their tenants under lease agreement, or otherwise. I need scarcely point out to your Lordship how directly such an enactment would strike at the root of a great principle hitherto recognised in the letting of real property, that the tenant cannot question his landlord’s title. The Legislative Council have not passed this Act, but it was brought forward as a Government measure. As such it was passed by the House of Assembly, and it has been published as having been passed by the Legislative Council, so as to lead the country constituency to believe it to be the law of the land, and thus to be strengthened in their obstinate resistance to the landlord. These facts are proofs of the animus entertained towards the proprietors. As further proofs of such animus, I beg to submit to your Lordship some extracts from a speech made by the Colonial Secretary, the Hon. George Coles, in the House of Assembly, on March 29th last, in the course of a debate on the old subject of Escheat. Your Lordship will see that these extracts are not mere expressions of feeling, uttered during the heat of debate; but that they are deliberate avowals of the past policy and present views of the speaker:—“Believing that Escheat was impracticable, I have introduced and carried other measures for the benefit of the people, at the expense of the proprietors. This course I promised my constituents at my first election that I would pursue. They approved of it, and they returned me, and I have been returned to the House at every subsequent election, and I have followed the same policy of dealing with the Land Question moderately, but to some practical effect. Under these circumstances, I consider myself at perfect liberty to oppose the resolution of the honorable member, and in doing so, I shall endeavour, as the common saying is, to give it a black eye.”

“I am satisfied that this House has it in its power to mitigate the hardships on the tenantry, arising from the original grants; that remedy is by taxing the lands of the proprietors. Under that system, the proprietors will soon be glad to come in and offer their lands to the Government under the Land Purchase Bill.”

“I think the Bill I proposed to bring in compelling landlords to record their titles, will be a substantial boon to the people.”

The following is an extract from the speech of another member of the Government, the Hon. Joseph Wightman, in the same debate:—

“Before long I have no doubt that the proprietors will be glad to sell their lands to the Government, the land tax they will find to be a somewhat heavy burden, which is not without its influence upon them now. The contemplated tax upon their Rent Rolls, is another step in the same progression.”

I am no party man. The two opposing parties who divide our little state, abusing each other under the names of

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Tory and Liberal, or in Colonial phrase, "Snarler and Snatcher," differ solely upon the division of the spoil, and are, as it were, constantly bidding against each other for popularity, by promising their constituents, and so far as they are able, performing their promise, to keep up an incessant and sweeping attack upon all the rights of property and laws of justice. It is to Her Majesty's Home Government alone that I can look for either protection or redress against whatsoever party may, by such promises and performances as I have mentioned, happen to be in possession, for the time being, of the reins of local rule in this Colony. If an impartial view were taken of almost every Act sent home from this Colony, during many past Sessions of our Legislature, they would appear like guns in a long line of battery, converging upon one devoted point of attack, the Proprietary interests. I beg to assure your Lordship that I can confidently and safely challenge the most searching enquiry into the lenity of my own conduct towards my tenantry; and further, that during the nine years that I have been in this Colony, there has not been a single instance, on the part of any Proprietor, of that oppression and tyranny with which we are charged by the demagogues who gain their bread by asserting falsehoods.

Earnestly hoping that the royal allowance may not be given to these continued and unjustifiable attacks upon the Proprietary body,

I have &c.,
(Signed) ROBERT BRUCE STEWART.

The Right Honorable
LORD JOHN RUSSELL,
&c. &c. &c.

Memorial and Petition of Mr. R. B. Stewart and Mr. Charles Wright to Lord John Russell, against the Rent Roll and Tenant Compensation Acts, dated 4th June, 1855.

THE MEMORIAL AND PETITION OF THE UNDERSIGNED RESIDENT OWNERS OF LAND IN PRINCE EDWARD ISLAND, SHEWETH—

That in addition to any further representations to which your Memorialists may become parties respecting late public measures affecting their interests as a class of Colonists, they beg leave respectfully to submit to your Lordship the following statements.

That certain local enactments, passed during the last five sessions of the Legislature, have called forth various remonstrances on the part of owners of Township lands in this Colony, respectfully urging the attention of the Colonial Minister to the serious consequence of such measures, as affecting the value and security of property throughout this Island; the object of the Legislature being to force land into the market, with a view to its being purchased by the Colonial Government, under an Act passed for that purpose, and thereby affect its re-investment in the Government by the working of oppressive statutes, whose operation, if sanctioned, will be tantamount to the confiscation of lands so situated.

That the titles to the lands in question, conferred by the Crown in the years 1769 and 1770, and Her Majesty's Ministers have on repeated occasions declared that it would be neither just nor politic to interfere with property so held for the non-fulfilment of conditions imposed by the original grants, as such conditions were impracticable; and this has been regarded by parties making investments of capital on the Island as an all-sufficient guarantee that Her Majesty's Government would not permit any undue encroachments on the interests of proprietors, holding under such titles. But the foregoing assertion as regarding the policy of the Legislature, will be fully borne out by the following extracts from a speech delivered by the Leader of the Government in the Assembly on the 29th March last:—"Believing that Escheat was impracticable, I have introduced and carried other measures for the benefit of the people at the expense of the Proprietors. * * * * I am satisfied that this House has it in its power to mitigate the hardships on the tenantry, arising from the original grants; that remedy is by taxing the lands of the proprietors. Under that system the proprietors will soon be glad to come in and offer their lands to the Government under the Land Purchase Bill. * * * * The Home Government has been so often applied to on the subject of Escheat, that it is useless to agitate the question further. * * * And the Land Purchase Bill, the Education Act, and the proposed *Act for taxing the Rent Rolls of Proprietors*, would have the effect of inducing a reasonable and equitable settlement of the question."

As regards what the leader of the local Government may esteem "a reasonable and equitable settlement," it will be proper to refer to the opinions of different Secretaries of State, repeatedly expressed on the same subject.

When Responsible Government was conceded to this Island in 1851, the Right Honorable Earl Grey, then at the head of the Colonial Department in a Despatch dated Downing Street, 12th of February, 1851, directed Sir A. Bannerman, on his assuming the Government, to impress on the Legislature the necessity of abstaining from passing any laws bearing unjustly on the owners of landed property, and so far from recommending any measures which might tend to depreciate its value, his Lordship is pleased to say:—

"It is obvious that an influx of capital and settlers, by tending to raise the value of property, would be most beneficial to the Colony and to all classes of its inhabitants. Prince Edward Island, possessed as it is of great natural advantages, which are becoming better known in this country than formerly, is likely at no distant time to attract both emigrants and capital, if the policy adopted by the Legislature is not such as to discourage them. But nothing could tend more to this unfortunate result, than the sense of insecurity which must infallibly be created by any attempt of the Legislature to pass laws bearing unjustly on the owners of landed property, even if the attempt were frustrated by the refusal of Her Majesty's allowance of it, which it would be the duty of the Government to advise her to withhold in such a case."

In the same despatch Sir A. Bannerman is also referred to "the correspondence between successive Secretaries of State and Lieutenant Governors of Prince Edward Island,"

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for his guidance in carrying out the above directions; and your Petitioners beg leave more particularly to mention Lord Goderich's Despatch to Sir A. W. Young, dated 27th January, 1833, and Lord J. Russell's Despatch to Sir C. Fitzroy, dated 24th June, 1841, as having an important bearing on the same subject.

That the lands in Prince Edward Island are for the most part leased at from one to two shillings per acre, but by far the larger portion of them at one shilling, as appears by the last statistical returns; and these rents were, with few exceptions, reserved in sterling money of Great Britain, or payable at the same rate, such being regarded as the only safe standard in a Colony where the currency is liable to fluctuate. But by a recent Colonial statute, lessors are prohibited from recovering rents so reserved at their expressed value; the provisions of the statute being, that more than one-ninth in the pound advance on the present depressed rate of the Currency shall not be paid by any tenant, though sterling money and Bills of Exchange, payable in Britain, bear a much higher premium, namely, fifty per cent.; and owners of land so leased are thus subjected to a loss of thirty-five per cent.

That urgent remonstrance was made by different parties concerned against the allowance of the One-ninth Bill, on the ground of its interfering with covenants voluntarily entered into, and considered binding between parties, but no definite conclusion would appear to have been arrived at with regard to it, during Earl Gray's continuance in office. It did not, however, receive the royal assent, and another Bill was subsequently passed under another title, with a view to accomplish the same purpose. This latter Bill, being strongly advocated by the official men of the Colony, as a Government measure, was finally sanctioned by the royal allowance; some slight amendment which did not affect the principle contended against, being suggested at the Colonial Office, and concurred in by the local Legislature.

The next measure of the Assembly was in the Session of 1852, to augment the then existing Land Tax, by an additional assessment on all Township Property, whereby wilderness land is now taxed at thirty-seven and a half per cent. higher rate than such as is under cultivation, being nine shillings and two pence on every hundred acres of waste and uncleared land throughout the Island, without distinction as to value, or capability of improvement—a measure, as your petitioners believe, having no precedent in the annals of British legislation; and a law was passed at the same time prohibiting rent which could by any possibility be made the subject of distress, from being sued for in the Courts for the recovery of Small Debts, although such Courts were previously open to suits for rent as for any other ordinary action for debt, within the jurisdiction of the same. But now before a summons for rent can issue from such Courts, the party applying for it must take and subscribe an oath that sufficient property cannot be found to countervail half a year's rent, by search made on the premises, within seven days previous to such application. And this restriction, your Petitioners beg leave to submit, amounts to almost total exclusion, and is at once repugnant to the laws of Great Britain and the common principles of even-handed justice.

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These measures were made the subject of a Memorial and Remonstrance to Sir John Pakington, transmitted through the Lieut. Governor, and dated 23rd July, 1852, praying for their disallowance, on the grounds therein stated. But immediately after the change of Ministers in December, 1852, the Bills comprising such measures were returned to the Colony, having received Her Majesty's sanction.

That among the unusual privileges conferred on tenants by local statutes, Stock, if distrained for rent, cannot be sold between November and June, comprising six months of the year—the tenant being required to give a bond and security that such stock shall be forthcoming at the time when sale thereof can legally be effected; all hay and provender found on the premises being reserved for the use of the stock, and no stock can, under any circumstances, be removed to a greater distance than five miles from the premises, without the consent of the tenant. These restrictions, being in favor of tenants on Township lands alone, do not extend nor apply to the respective Towns and Royalties, and are adduced to shew, that large exemptions have already been granted to the tenantry of this Colony, some of which originated in favors shown to them by their landlords, which were afterwards made precedents for law; and it can neither be controverted nor denied that the condition of the tenantry of Prince Edward Island, as regards mildness of terms, freedom from taxes, and both length and security of tenure, greatly exceeds that of the same class in England, or indeed most other countries. Three farthings sterling per acre will cover the amount of land tax to which the tenant here is liable, and it appears from the records of the Supreme Court, that only six ejectments for non-payment of rent have taken place during the last four years, which does not argue much for the severity of landlords in a country where rents, in most cases, are very greatly in arrear.

That your Petitioners have been induced to make the foregoing statement in reference to two other Bills recently passed by the Legislature, and now awaiting Her Majesty's approval; one entitled "an Act to impose a rate or duty on the Rent Rolls of the Proprietors of certain rented Township lands in Prince Edward Island," &c., to which, in the first place, your Petitioners beg leave respectfully to call your Lordship's attention, and it will be at once apparent that the said Bill bears exclusively on a certain class of individuals, having vested interests in this Colony, and therefore founded on one of the worst principles of legislation, namely, that of imposing a burthensome duty on the ostensible income of a limited class, for the furtherance of objects, which if essential to the public service, ought to be provided for by equal and rational taxation. But a general income tax was never yet imposed, or even contemplated in Prince Edward Island, nor, as your Petitioners believe, in the neighbouring Provinces of Nova Scotia or New Brunswick; and apart from the unjust principle of partial taxation, your Petitioners contend that the unjust provisions of the Act are arbitrary and inquisitorial—the security required by it difficult to be complied with—and the penalties to be incurred under it needlessly severe, extending even to lunatics, idiots, and insane persons; and it can only be regarded as part of a plan for extinguishing the rights of Proprietors by means of an aggressive system of

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legislation, which, your Petitioners humbly conceive, bears more affinity, in the present instance, to a statute for the punishment of offenders, than to an Act for contributing towards raising a Revenue by fair and legitimate taxation.

That if it were really intended by the Legislature to make due provision for an armed force in case of exigency, it would have been just and prudent, on their part, to restrict the appropriation of all sums arising from any tax or taxes imposed for that purpose, towards raising a fund for the object contemplated when needed. Property is already heavily taxed for the support of Education, and by the appropriations for the year ending 31st January, 1855, it appears that over a fifth part of the Revenue for that year was so applied; and when danger to the Colony is to be apprehended, it is but fair to presume that a due portion of the burthen of any provision requisite for its defence, will be willingly borne by every patriotic Colonist resident on the Island, and not thrown altogether on one particular class, who are already subjected to more than an equal share of taxation.

It will also be observed that the provisions of the Bill apply to the nominal rental, and not to the actual receipts of the Proprietors of Township lands; though in many cases it may be found impossible to realize the former, and the attempt to do so would greatly distress a large number of tenants; for the heavy tax on wilderness property has obliged Proprietors to let lands without much discrimination as to the circumstances of the settlers, to whom they were nevertheless disposed to grant every indulgence that the nature of the case would permit, towards enabling them to overcome the difficulties inseparable from such occupancy, without capital to commence with.

That the next measure to which it becomes requisite respectfully to call your Lordship's attention, is entitled "An Act to secure compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the soil." As regards this Bill much more might be urged than can possibly be brought within the compass of a statement of this nature, and your Petitioners believe that a proposed Tenants' Compensation Bill for Ireland has engrossed considerable attention in the British House of Commons, without any practicable results having yet been attained. But the principle of compensating a tenant, against whom it is requisite to bring an action of ejection for non-payment of rent, or any other breach of covenant before the term of his lease expires, your Petitioners humbly submit, is liable to very grave objections, and contrary to the received opinions of weighty authorities, which might be adduced on the subject, and these objections will particularly hold when applied to a country where lands, when let, are constantly liable to be denuded of timber and firewood by the improvidence of settlers, though a sufficient growth of the latter is deemed an essential requisite to a farm in this country; and compensation for any improvements in the way of buildings, shipyards or otherwise, that might be made or erected on lands so stripped, must at all times form a complex and difficult matter for adjustment, by arbitration, with a due regard to

the merits of the respective claims that may be urged under the Bill, and an impartial consideration of the actual value of such improvements, with a view to any increased rent the landlord may be able to obtain for them, if placed at his disposal. By the provisions of the Act, this can be decided by the award of two arbitrators; but your Petitioners, with a due submission, contend that a fairer way of arriving at it, would be by setting up the tenant's interest at auction, subject of course to the conditions of his lease, and the arrears of rent due under it, including all costs and charges lawfully incurred for the recovery of them; and then finding, by public sale, what such leasehold interest will bring, subject to the amount of claim.

And your Petitioners humbly beg leave to submit, that under the circumstances above mentioned, it is reasonable to expect that some barrier shall be opposed to measures of the Assembly, when such measures involve a departure from principles hitherto regarded as forming the basis of civil security, and it is moreover essential to the interests of landowners in this Colony that the intentions of Her Majesty's Home Government with respect to a series of encroachments on the rights of property, as recognized by the British constitution, should be clearly ascertained. This must obviously be regarded of the more importance, when the leaders of the local Government are chosen under a system amounting to universal suffrage, as granted to this Island by the extension of the elective franchise in 1853, which overbalances all property considerations in the scale of representative influence. And your Petitioners further beg leave to impress upon the consideration of Her Majesty's Government, the very slight prospect of permanent security afforded to subjects of Great Britain in a dependency of the Crown, where the qualification for a seat in either branch of the Legislature is such as at present exists in Prince Edward Island—a freehold or leasehold interest to the value of thirty-four pounds sterling being the qualification for a seat in the Assembly; or estimating such qualification at five per cent. yearly value, just thirty-four British shillings per annum. With reference to the Upper Branch of the Legislature, your Petitioners are uninformed of any recent instructions the Lieut. Governor may have received as regards filling up appointments to that Board. By the Royal Instructions given to a former Governor, and published here, the Legislative Councillors were to have been chosen from among "the principal freeholders, inhabitants of the Island;" but late appointments to that body would lead to the conclusion that a property qualification, if not altogether done away with, is at least not essential.

And your Petitioners deeply deplore that the public affairs of a small but valuable dependency should be entrusted to the management of deliberative bodies so constructed, without any limits being accurately defined for their guidance or restriction, in cases where the vested rights and immunities of a class of British subjects are placed so largely under their control; leaving your Petitioners no other hope of redress

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under such grievances, than an appeal to the justice and moderation of Her Majesty's Home Government.

And they therefore humbly pray that the Bills specified in the margin hereof,* may not be sanctioned by Her Majesty's Royal Allowance. And your Petitioners shall ever pray.

(Signed) ROBERT BRUCE STEWART,
CHARLES WRIGHT.

The Right Honorable LORD JOHN RUSSELL, &c: &c. &c.

* "An Act to impose a Rate or Duty on the Rent Rolls of the Proprietors of certain rented Township Lands in Prince Edward Island."

"An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the Soil."

[copy].

4th June, 1855:

Petition and Remonstrance of certain Proprietors and Agents of Land in Prince Edward Island, to the Queen, against the Act to impose a rate upon Rent Rolls of Proprietors.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The Petition and Remonstrance of the undersigned Proprietors and Agents of Land in Prince Edward Island, most respectfully sheweth—

That in the last Session of the Provincial Parliament of the said Island, a Bill was passed, intituled "an Act to impose a rate or duty on the Rent Rolls of the Proprietors of certain rented Township Lands in Prince Edward Island, in order to defray the expenses of any armed force which may be required on account of the withdrawal of the troops, and for the further encouragement of Education," in which said Act is a clause restraining the operation thereof, until Her Majesty's assent shall have been first given thereto.

The undersigned humbly pray that your Majesty will be pleased to withhold the royal assent to the said Bill, for the following among other reasons.

That the real object of the Bill is not what it purports to be on the face of it. According to the preamble of the Bill, it is intended to provide a fund for the purpose of maintaining an armed force, in case the necessities of the Island should demand that such a force should be raised. For in reality it is one of a series of measures, the avowed purpose of which is to compel the owners of Township Lands to convey the same to the local Government of this Island, to be by it disposed of to the present tenantry in freehold, and to those usually termed "Squatters," who have taken and held possession without the consent of the owners.

The truth of this assertion is of easy proof. During the course of the Session, the long agitated question of Escheat came before the House of Assembly, and in a speech of the Hon. George Coles, Colonial Secretary and President of the Executive Council, delivered when the whole House was in Committee, the true intent of passing this, with the other Bills alluded to, is thus adverted to by the Hon. Colonial Secretary: "Believing that Escheat was impracticable, I have introduced and carried other measures for the benefit of the people, at the expense of the proprietors;" and subsequently in the same speech, he says: "I am satisfied that

this House has it in its power to mitigate the hardships on the tenantry, arising from the original grants; that remedy is by taxing the lands of the proprietors; under that system, the proprietors will soon be glad to come in and offer their lands to the Government, under the Land Purchase Bill." And again—"I regret that the minds of the people are agitated on this question. (Escheat.) Had it not been for parties exciting them and holding out false hopes, every thing would have gone on quietly, and the Land Purchase Bill, the Education Act, and the proposed Bill for taxing the Rent Rolls of the Proprietors, would have had the effect of inducing a reasonable and equitable settlement of the tenantry."

What is meant by "reasonable and equitable settlement" in the mind of the speaker, it is impossible to say, unless it be that the proprietors are to forego all arrears of rent and dispose of their lands, either to the tenantry or to the local Government, at one-third of their value, that being the maximum in the Land Purchase Bill. That the Bill is founded upon the principle of class legislation, and that no sufficient cause has been, or can be shown, why the present proprietors of lands over five hundred acres, should be taxed for the purpose of raising and maintaining an armed force for the preservation of the Colony, in preference to the proprietors of smaller portions of land, and the owners of property generally in the Island.

The preamble of the Bill states that, "Whereas the proprietors of Township Lands in the said Island have leased a large portion thereof to tenants, from whom they derived large rents, and covenants are generally contained in the leases of such lands, that the tenants or occupiers hereof shall pay all taxes imposed or to be imposed on the lands so leased to them, whereby the proprietors evade the payment of said taxes, and the principal part thereof are paid by the tenantry; and whereas such lands have greatly increased in value from the industry of the tenants, and from the prosperity and progressive state of the Colony, independently of any outlay made by the proprietors of such lands."

That the rents are by no means excessive, the following statistics of the Colony will prove. By the Census of 1848, in the 67 Townships, there were 6,099 tenants holding under lease, written demises or agreements or without agreements; and of these 3,202 held under leases for 999 years; 440 from 999 to 100; 319 from 100 to 50 years, and 308 from 50 to 30 years, while the whole number of those holding for a less term than 30 years, is 109. Of the 6,099 tenants holding under either lease, written demise, agreement or without, 4,970 hold their lands at a rate nominally of one shilling sterling, but in reality owing to the One-ninth Bill, at a rate not exceeding nine-pence British sterling, the acre; 898 at rates varying from nine-pence to sixteen-pence British sterling, per acre; and 37 not exceeding two shillings British sterling, per acre, there being but 85 farms rented above that sum, and the tenants of these residing chiefly in the older and more densely settled Townships Lots 17, 19 and 48, and in all probability not payable to the original proprietors or their representatives.

When the landlord has parted with his interest in the soil for 999 years, he has virtually sold it from him and his heirs, for an annuity of about three pounds fifteen shillings, British

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sterling, the one hundred acres; and it is hardly to be expected that he should contribute towards its improvement, as let what will be the ultimate value either through the industry of the tenant, or the prosperity and progressive state of the Colony, he can receive no more than the stipulated rent or annuity of three pounds fifteen shillings the one hundred acres, or nine-pence the acre.

The fact of the tenants' lands having risen greatly in value, only tends to prove that they have had favourable terms of tenure, and that they, and not their landlords, ought to contribute most largely to the defence of the Island, as having the most valuable interest to defend.

That the arrangements for carrying out the provisions of the Bill are most inequitable, inasmuch as it taxes the gross rental without any inquiry as to what has been paid, and what has been in arrear; thereby compelling the proprietor to pay considerably more on his real income than the five per cent mentioned in the Bill, thus taxing the loss equally with the gain, a species of legislation without a parallel, it is to be hoped, in any country, however despotically ruled. And this is the more unjust, as it is well known that such has been the leniency of the landlords, that vast sums of money due for rent are in arrear, and that a continuing loss is annually suffered by the failure of the tenants to meet their engagements, so much so that if two-thirds of the yearly rent is regularly paid up, the proprietor or his agent may think himself fortunate.

That the line of distinction drawn between proprietors of five hundred acres, and those above that number, is an arbitrary one, and founded on no principle either of justice or equity, the proprietor of 500 acres being just as much bound to contribute to the defence of the Colony as one of 1,000 or 10,000, and can be attributed only to the determination already alluded to, as expressed by the leader of the Government, to compel the sales of Township Lands under the provisions of the Land Purchase Bill.

That it is assumed by the leader of the Government, the introducer and supporter of the Bill, that the tenantry of Prince Edward Island are a suffering and oppressed class, than which nothing can be more fallacious, nothing more opposite to fact. It has been already shown, that the great mass of the tenantry pay about nine-pence sterling per acre, and if all the taxes to which the land is liable be added to the rent, the charge per acre will not amount to ten-pence British sterling per acre; and no one can presume to call this a rack rent.

An unusual increase of population, accompanied by a corresponding augmentation of wealth, may be safely taken as a criterion whereby to measure the advance of a people in the social scale. By the Census of 1827, published in the Appendix to the Journals of the House of Assembly, for the year 1828, the population of the Island was, 23,266; twenty-one years after, in 1848, (without any very material increase from immigration), it numbered 66,678; and during the same year, the amount of the Colonial Revenue rose from £5,456 16s. 11d., in 1827, to £25,264 1s. 9d., in 1848—in 1854 it has reached £46,033 11s. 6½d. The number of cultivated acres in 1827 amounted to 59,909, or about 2½ acres to each individual. In 1848 the number of acres of ar-

able land was 215,389, or nearly 3½ acres to each individual, shewing not only an almost unexampled increase in population and public wealth, but an augmentation of private fixed capital to the amount of one acre in three and a half to each inhabitant, from the child in arms to the oldest inhabitant in the Colony. The same comparative increase in animal produce and stock of all descriptions, is to be derived from the same sources, all published by the order of the Legislature in the different Appendices to the Journals of the House of Assembly.

In the year 1847, when the people of the Island suffered most severely from the almost total loss of its principal crop—the potatoe—combined with unfavourable seasons for grain crops, when 731,575 bushels are returned as the produce of that year, while in the year 1841 the returns were 2,250,114 bushels, it might have been reasonably imagined that scenes of distress and suffering would have been enacted here, similar to those which took place in Ireland, but the contrary was the case.

The population of the Island is now computed at upwards of 80,000, and during the last year, 1854, it was found requisite to vote the trifling sum of £350 sterling only, for the benefit of about 260 individuals—about 3½ per 1,000.

A community whose poor do not amount to four in one thousand, and whose necessities are relieved by a grant of something less than thirty shillings sterling per head, cannot be said to even approximate to distress or poverty of any description. These facts are introduced for the purpose of showing that the present Administration has substituted the Bill in question, and other Bills of a like tendency, in order, through their operation, to work out a virtual Escheat.

That the proprietors should contribute towards defraying the expenses of any armed force for the protection of the Colony, no one will deny to be just and reasonable, and if all other classes were called upon by this or other Bills passed in the same Session, to contribute their reasonable quota, or submit to an income tax at the same rate, for the same purpose, there could be no just cause for complaint. But such is not the case. The owner of a house in Charlottetown, for which he receives a rent to the amount of fifty pounds per annum, is upon a par with the proprietor of one thousand acres of land at nine-pence, British sterling, the acre, the usual rent. In case of invasion, the house is liable to be shotted, shelled or burnt. Some of the town lots in Charlottetown, without a single building upon them, are worth more than any one thousand acres of land in the hands of proprietors, whether leased or unleased; and these lots have acquired their present value solely from the "prosperity and progressive state of the Colony;" and yet these are suffered to go free, and an intimation of taxing them is not even whispered. It is submitted, that in a community of danger, each should bear the burthen of providing the means of averting or repelling it, according to the amount of his stake or interest.

Although it has been admitted, that in case of invasion, the proprietors are equally bound to contribute with others for the purposes of defence, yet there exists, no such obligation upon them to contribute "towards the further en-

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couragement of Education,"—the unleased, and consequently to the proprietors. unproductive lands, having been taxed for this purpose at about one-third over the rate of the productive lands of their tenants; nor is this all, as the proprietors are compelled to pay for land which will not for years, if ever, be productive.

The joining in one Bill, of two objects totally unconnected with each other, and which ought to have been made the subject of separate Bills, is a clear proof, that there is no immediate intention of raising any armed force, and that the mention of an armed force in the Bill is only for a cloak to the real object of the Legislature—a determination to harass the proprietors and render their property of less value.

That had the defence of the country been the true object of the Bill, it would have provided, that all sums arising therefrom should be religiously applied to that end, and formed into a fund for the express purpose of providing munitions of war, or in the construction of fortifications; and estimates of the cost would have been put forward, and the probable amount of the sum required, and the sources from whence the additional expense would have been to be defrayed,—nothing of which has been done, and the fact of any armed force being raised, is a measure that, when called for, must be met by a much more ample provision than what would be realized under the Bill in question.

That, by one of the clauses of the said Act, the tenants or occupiers of land are compelled to disclose to the receivers of the said tax the names of the proprietors or their Agents, the number of acres they hold, and the amount of rent received; but that no mention is made of whether the rent be in arrear, or whether it be paid; and by another clause, execution is to issue against the lands and tenements, though there may be a sufficiency of property in the tenants' hands to enable them to pay the rent.

That in all Acts of Parliament hitherto passed, either in the Parent State or its Colonies, infants, married women, lunatics, idiots, or insane persons, have been considered as entitled to the special protection of the laws; whereas in this Bill they are specially excluded, and rendered liable, not only to the payment of the tax, but to all the fines, penalties and forfeitures imposed by it.

It may be objected that this Bill has received the sanction of both Houses of the Legislature. It is, however, submitted, that the members of the Legislative Council are not qualified, according to either the letter or spirit of the Royal Commission and Instructions; and that instead of being composed of the principal freeholders in the Island, the reverse is the fact; and that few, if any, come under that designation; but that some of them are tenants to proprietors; and without any real estate or adequate property, as contemplated by the Royal Instructions, and that those who do come under the description of persons as eligible for seats in that House, have voted and protested against its passing.

That the whole Bill is unconstitutional in principle, and unjust, harsh and oppressive in detail. That the allowing the royal assent to be given to it, will tend to lower the dignity of the Crown, and impair that confidence in its wisdom and justice, that has hitherto prevailed in the Colony.

The undersigned, therefore, most humbly pray that Your Majesty will be pleased to take the above Petition and Remonstrance into your most gracious consideration, and decline to give the Royal assent to the said Bill. And, as in duty bound, Your Majesty's Petitioners will ever pray, &c.

Charlottetown, Prince Edward Island, }
4th June, 1855. }

(Signed) ROBERT BRUCE STEWART,
Proprietor of Lots 30, 7, 10, 12, $\frac{1}{2}$ of Lot 47, parts
of Lots 46 & 47, Lennox Island.

R. RENNIE,
Agent for D. S. RENNIE, Proprietor of part of Lot 23.

D. HODGSON,
Proprietor of part of Lot 23.

M. FANNING,
By her Attorney, SAMUEL NELSON, owner of part of
Lot 24.

C. PALMER,
For self & others, owners of $\frac{1}{2}$ Lot 1.

JOHN R. BOURKE,
Owner of part of Township No. 36.

J., R. & GORDON THOMPSON,
Of Belfast, Ireland, owners of part of Township No.
26, by their Attorney, J. R. BOURKE.

Rev. J. McDONALD,
Chichester, England, owner of part of Township No.
37, by his Attorney J. R. BOURKE.

JOHN A. McDONALD,
For self & others, owners of part of Lots 35 & 36.

CHARLES WRIGHT,
Owner of Land on Townships Nos. 65 & 50.

P. MCGOWAN,
On behalf of Sir J. HUNTER LITTLE, G. C. B.,
Owner of Lands on Townships Nos. 37 & 38.

ELLEN STEWART,
For self & sisters, owners of half of Lot 18.

HATTON H. STANFIELD,
Township No. 54, per his Attorney, G. W. DEBLOIS.

PETER D. STEWART,
Owner of Lands on Lot 48.

MARY IRVING,
Owner of Land on Lot 18.

WM. DOUSE,
Agent for the Trustees of the late EARL OF SELKIRK,
For parts of Township Lands.

WM. BOWLEY,
By WM. DOUSE, his Attorney, for part of Township
No. 40.

JAMES MONTGOMERY,
For part of Townships 34, 50 & 59, by his Attorney,
WM. DOUSE.

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[cont.]

19th June, 1855.

Petition and Remonstrance of certain Proprietors and Agents of Land in Prince Edward Island to the Queen, against the Act to secure Compensation to Tenants.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The humble Petition and Remonstrance of the undersigned Proprietors and Agents of Land in Prince Edward Island, most respectfully sheweth—

That in the last Session of the Provincial Parliament of the said Island, a Bill was passed, intituled "an Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the Soil," in which said Bill is a clause restraining the operation thereof until Your Majesty's assent should have been first given thereto.

The undersigned humbly beg leave to submit, that the said Bill should not be allowed to become law, for the following, amongst other reasons.

Because the provisions of the Bill are utterly subversive of all acknowledged principles of law and equity; destructive of the mutual relations existing between Landlord and Tenant, as recognised by the common law of England from time immemorial; and directly opposed to the dictates of common sense,—so that it is difficult to suppose that those who concurred in passing it, from motives which will be hereafter alluded to, could have entertained the slightest hope that it would ever receive the royal assent.

Before entering into the details of the Bill, it is deemed necessary to shew under what relations the tenants contemplated in it stand, with respect to their landlords, as regards duration of tenure and terms of payment of rent, as these have a very evident bearing on the policy and justice of passing the Bill into an Act. The majority of the tenants hold by leases of a long endurance, as appears by the enumeration of the respective holdings in the Census of 1848—the general accuracy of which there is no reason to doubt, as it is published by the order of the House of Assembly in the Appendix to its Journal of the year 1849. In the year 1848 the whole number of tenants in the Island amounted to 6099, of whom more than one-half held under leases for 999 years, the residue by terms varying from 999 to 100, 50 and 30 years, there being of the whole number only 199 that occupy their lands under leases or agreements for a shorter period than thirty years, and those holding by these comparatively short periods of 100, 50, or 30 years, have generally a clause inserted in the lease or agreement, giving them the power of demanding releases in fee simple, upon the payment of twenty years purchase money.

As to the terms respecting the payment of rents under which the lands are held, they are, as given by the same authority, as follows:—Out of 6099 tenants, are 4970 who pay nine-pence, British sterling, the acre; 898 at rents varying from nine-pence to sixteen-pence, British sterling, the acre; 37 not exceeding two shillings, sterling, per acre; and 87, in the oldest, most populous and best cultivated districts, who hold at a greater sum than three shillings, British

sterling, per acre. That there is no species of contract which the laws of all countries, by a common consent founded on the immutable principles of justice, look upon so religiously to be kept and enforced as that between landlord and tenant; and the payments of the rent reserved in such contracts have ever, by the law of England, been compelled to be made with rigour and strictness, tempered and modified by a care and watchfulness that the extraordinary power vested in the landlord should not be abused. And of this care and watchfulness the tenant of Prince Edward Island has an equal share with those of England, in addition to the benefit conferred by statutes, by which the power of the landlord is curtailed and regulated, passed by the local Legislature in favor of the tenant, who has also the same advantages given by the law of replevin, and may avail himself of any plea in bar or of set-off that the practice of the courts allow, as fully as the tenant in England can. But the tenant in Prince Edward Island is, in almost every possible case, placed on a far more favorable footing than the tenant in England. In the first place, the tenant's lease is of a long endurance; secondly, he is hampered with no burthensome conditions, is compellable to erect no particular species of buildings, to follow no prescribed course of cropping or tillage,—all he has to do is simply to provide for and pay his rent of nine-pence, British sterling, per acre, and the public taxes, which do not amount to one penny, British sterling, per acre; and having performed these duties, he is totally independent of his landlord—may sell and dispose of his leasehold interest at public auction, or by private contract—may mortgage, build, cultivate, or let it alone, just as he pleases. It is, therefore, submitted that it is contrary to the dictates of common sense, as well as opposed to the rules of common justice, that the landlord should be compelled to pay for buildings and improvements: on the necessity of erecting the one, and making the other, he has never been consulted, and which, if he had been consulted, he would, in all probability, have disapproved of. That the compelling the landlord to take back the land, because the tenant is either unable or unwilling to discharge the rent, and pay for the improvements at a valuation by arbitrators, is an act of injustice to him as a creditor, to which no other creditor of the tenant is by law subjected, inasmuch as any judgment creditor of the tenant may take out execution, levy upon the leasehold interest and sell it, with all the improvements, in a year from the date of the levy—turn the tenant out of possession, and, if the leasehold interest with the improvements are not sufficient to pay the debt, seize upon his person, and lodge it in prison, until the residue be paid. That the mortgage of property is at liberty to foreclose, where the condition for re-payment of the mortgage money is broken, and that in such case the land with all its improvements is forfeited; and that this Bill would place the landlord—who, by abstaining from pressing his tenant for the rent, has, in equity, lent him so much money—in a worse situation than a mortgagee, or a judgment creditor,—thus making the claim of the landlord, which is in England and all other countries considered paramount, inferior to those of strangers.

That the Bill is retrospective, and will, if it takes effect, be the means of adding a parliamentary covenant to pay for

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improvements on the part of the landlord, which, had it been proposed at the time of executing the lease, he would have at once rejected.

That it is taking a fraudulent and unjust advantage of the lenity of the landlord, who, in most or in all cases, has forborne to press the tenant for the payment of his rent, from an unwillingness to interfere with, or prevent his making the necessary improvements, resting satisfied that by so doing he was promoting the interests of the tenant, and enabling him to pay his rent with greater ease in future years. That in fact, by this Bill, the landlord is to be punished for having assisted his tenant, at the outset of his career, with what was equivalent to a loan of money, without interest, for five, ten, or fifteen years. That the very fact of the improvements being to any amount greater in value than the rent in arrear, is a convincing proof that the tenant has had a beneficial use of the soil, and that there is no injustice in compelling him to dispose of those improvements at public sale, or by private contract, and first discharging the debt which honor and honesty alike require him to pay, appropriate the residue at his own will and pleasure.

That no distinction is made by the Bill between landlords who have only a life-interest in the soil, and those who have the fee-simple: as, for instance, tenants for life, tenants in tail, tenants by the courtesy, and tenants in dower—all of whom have no other interest in the land than what they derive from the annual profits, and who might be ruined or starved by the detention of the rents, and who have, certainly, no interest in the improvements, other than their affording a greater security for the payment of those rents.

That the Bill has not been called for by any harsh and oppressive practices on the part of the landlords, or their agents—there having been only six tenants, out of all that hold lands in the Island, ejected for the non-payment of rent, during the space of the last four years, as was shown by a return furnished by the Prothonotary of the Supreme Court.

That the allowing the improvements to be estimated by arbitrators, is an useless, expensive and uncertain method of finding their true value, which more easily and with greater certainty can be ascertained by exposing them to sale, with proper notice, and under proper precautions—a mode of procedure to which the proprietor, who is in want of his rent, must have recourse, if the Bill should become an Act, and who, if the improvements realize less than their estimated value, must submit to a loss which ought in justice and equity to be paid by the tenant.

That under the terms of the Bill, as to what shall be considered the just value of the improvements to be paid for by the landlord, and those to be borne by the tenant, it would be utterly impossible for any arbitrators to come to a just decision, inasmuch as few, if any, of the tenants in the Island keep any account of their expenditure, or of their income.

That the Bill directs the arbitrators “to take into consideration any expenditure of manure, lime, or any other matter calculated to improve the temporary fertility of the soil, and to award a recompense therefor,” a convincing proof that the true intention of the Bill is to prevent the landlord from ever recovering his rent, when it has once been suffered to fall into

arrears, as an award made upon such principles would, in most cases, amount to more than the original value of the land.

That it is a specimen of class legislation of the most odious kind, and can serve no other end than to reduce the value of real estate, already at a very low rate, as may be seen by the price paid by the Government for the estate of Charles Worrell, Esquire.

That the Bill is impolitic, having a tendency to drive all monied men from the Island, as no one will be inclined, or can be expected to invest capital in the purchase of land, which he is deprived of the power of turning to a beneficial use, and may be prevented from reaping the just profits of, under the sanction of law.

That the true object of the Bill has been declared by the Hon. G. Coles, the leader of the Government, in his speech on the Escheat question, on the 29th day of March last, to be for the purpose of compelling the proprietors “to come in and offer their lands to the Government under the Land Purchase Bill.”

That, if the royal assent be given to this Bill, it will be sanctioning a species of class, partial and unjust legislation, which cannot fail to have a ruinous effect on the future prosperity of Prince Edward Island, and may be drawn into a precedent for any species of wrong and injury it may be the pleasure of an ignorant and interested majority in the Legislature to inflict upon either individuals or bodies of men.

The undersigned, therefore, most humbly pray that Your Majesty will be graciously pleased to take the premises into your royal consideration, and withhold your royal allowance from the said Bill. And Your Majesty's petitioners, as in duty bound, shall ever pray.

Charlottetown, Prince Edward Island, }
19th June, 1855. }

(Signed) ROBERT BRUCE STEWART,
Proprietor of Lots 30, 7, 10, 12, $\frac{1}{2}$ of Lot 47, parts
of Lots 46 & 47, and Lennox Island.

ROBERT RENNIE,
Agent for D. S. RENNIE, Proprietor of part of Lot 23.
D. HODGSON,

Proprietor of part of Lot 23.
LADY WOOD.

By her Attorney, SAML NELSON, Lots 67 & 50.
M. M. FANNING,

By her Attorney, SAML NELSON, owner part Lot 24.
CHAS. PALMER,

For self & others, owners of $\frac{1}{2}$ Lot 1.
JOHN R. BOURKE,

Owner of part Township No. 36.
JOHN, ROBERT & GORDON THOMSON,
Of Belfast, Ireland, owners of part Township No. 26,
By their Attorney, J. R. BOURKE.

REV. JOHN McDONALD,
Chichester, England, owner of part Township No. 37,
By his Attorney, J. R. BOURKE.

JOHN ARCHIBALD MACDONALD,
For self and others, owners of part of Lots 35 & 36.
CHAS. WRIGHT,

Owner of land on Townships Nos. 65 & 50.

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PETER MACGOWAN,
On behalf of Sir JOHN HUNTER LITTLE, G. C. B.,
Owner of Lands on Townships Nos. 37 & 38.

ELLEN STEWART,
For self and sisters, owners of $\frac{1}{2}$ Lot 18.

HATTON H. STANFIELD,
Township No. 54, per his Attorney, G. W. DEBLOIS.

P. D. STEWART,
Owner of Lands in Lot 48.

MARY L. B. IRVING,
Owner of Land on Lot 18.

WM. DOUSE,
Agent for the Trustees of the late EARL OF SELKIRK,
for parts of Township Lands.

WM. BOWLEY,
By WM. DOUSE, his Attor'y, for part of Township 40.

JAMES MONTGOMERY,
For part of Townships 34, 51 & 59, by his Attorney,
WM. DOUSE.

A. T. TODD,
Proprietor of part of Lot 19, by his Attorney, WM.
FORGAN.

T. H. HAVILAND,
Proprietor of Lot 56 and $\frac{1}{2}$ part of Lot 43, by T.
HEATH HAVILAND, his Attorney.

WM. H. POPE,
As Agent for CAPT. & MRS. CUMBERLAND, owners of
 $\frac{1}{2}$ Township No. 65, and lands in Charlottetown
and Royalty.

JAMES H. CONROY,
For Lands on Townships 38, 45 & 26.

FRANCIS HENRY BYRNE,
ANNA MATILDA BYRNE,
CHAUCY HARE TOWNSHEND,
ELIZA FRANCES TOWNSHEND,
CHAS. LAPIN DE ST. ROMAIN,
HENRIETTA JANE DE ST. ROMAIN,
By ROBT. STEWART, their Attorney for part of Town-
ships Nos. 46 & 48.

MATILDA G. CUNNINGHAM,
By ROBT. STEWART, her Attorney for part of Town-
ships Nos. 46 & 48.

Heirs of JAMES DOUGLAS,
By their Attorney, ROBT. STEWART, for part of Town-
ship No. 19.

WM. CUNDALL,
Proprietor of part of Lot 20.

(COPY.)

The Petition of certain Owners of Township Lands, against the Rent Roll and Tenants' Compensation Acts.

To the Right Honorable Sir William Molesworth, M. P.,
Her Majesty's Principal Secretary of State for the Colonial
Department, &c.

THE HUMBLE PETITION OF THE UNDERSIGNED OWNERS OF TOWN-
SHIP LANDS IN PRINCE EDWARD ISLAND—

We, the undersigned resident owners of land in Prince Edward Island, beg leave to approach the Principal Secretary of State for Her Majesty's Colonies, with feelings of the most profound veneration and respect for Her Majesty's Person and Government, but with just grounds of apprehension as to the consequences that may result to your petitioners from certain recent local enactments, calculated seriously to affect Township Lands and the security of property generally throughout this Island, which enactments having suspending clauses annexed to them, cannot go into operation until Her Majesty's assent be first given thereto.

Various reasons urged by your petitioners and other land-owners against the royal allowance being extended to the measures in question, were respectfully submitted in three several petitions from this Colony, two of which dated June 4th and June 19th, 1855, were handed to the Lieut. Governor for transmission to the Secretary of State, and one dated June the 4th, was forwarded direct to the Colonial Office, a copy of which letter has since been sent out to the Lieut. Governor, in order that he may report to the Colonial Minister thereon; and in consequence of the change which has since taken place in the head of the Colonial Department, your petitioners humbly presume at this stage of the proceedings to pray, that their representations may receive such further considerations as may be thought due to the circumstances of the case, and the peculiar hardships they complain of.

In respect to an "Act for imposing a rate or duty on the Rent Rolls of the Proprietors of Township Lands," it will be seen by two of the petitions mentioned, that this measure, though ostensibly in the light of an income tax, is in reality an additional burthen on real estate, of a peculiarly harsh and oppressive kind; and is meant to bear exclusively on one particular class of Her Majesty's subjects, whose property in this Colony is already taxed in an unequal ratio to its value, as compared with other landed property of a more profitable description. All persons entitled to rent for over five hundred acres of Township Land, are to be liable to the proposed tax, whether such rent can be collected or not, and it will be further apparent by the terms on which land is usually let in this Colony, (namely, about one shilling and a penny farthing, currency, per acre, and from that in some few cases up to two shillings per acre), that *eighteen pounds ten shillings and five-pence sterling* is the rent usually accruing due, per annum, from the above quantity of Land; which rents on the average are far from being regularly paid. All persons therefore, entitled to that amount and upwards of yearly rental, are subject to the provisions and penalties of the Act; and this brings the minimum of liability greatly below that to the present income tax in England; which, your petitioners submit, seems neither fair nor reasonable in a comparatively young country, where owners of land have yet numerous difficulties to contend with, and are now sought to be burthened with an onerous impost, from which all other colonists are exempt, both in this and the neighboring Provinces of Nova Scotia and New Brunswick.

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It will also be observed that the possession of the property in the Town, or Royalties of Charlottetown, Georgetown and Princetown, does not render the owners thereof in any way liable to the said tax; though on what principle of equity or justice such property should be exempt therefrom, if the tax be just and necessary, it would be difficult for the framers and supporters of the Act in question to explain, as in Charlottetown and Royalty in particular, there is much valuable property, from which considerable rents and profits are derived; and the following *data* will convey some idea of the value of such property, as compared with that of Township lands. The valuations are taken from the report of sworn assessors appointed under a Colonial statute.

Charlottetown alone comprises 492 lots of about one-third of an acre each, and the Royalty and Common contains over 600 lots of 12 acres each; five town lots in the fifth hundred (Nos. 23, 24, 25, 68 & 69), but with one dwelling thereon erected, are rated at £120 yearly value, gardens and out-houses included; and the tenant, or if unlet, the owner thereof is liable only to three-pence in the pound assessment, under the Education Act. Each lot in the Town, Common and Royalty, is also liable to the small land tax of two shillings currency per annum; whereas wilderness and unprofitable Township lands are assessed at nine shillings and two-pence per hundred acres, yearly, whether the same is capable of being brought into cultivation or not, being nearly one and a-quarter per cent, or the maximum price offered for the best Township land by the Government, under the Land Purchase Bill.

Three lots adjoining Queen Street, fronting on the water, and containing less than an acre of ground, are assessed (buildings included), at £250 per annum, and one other lot adjoining Pownal Street at £140, while various lots and parcels of lots, occupied in each case by individuals as business stands or otherwise, are assessed, one at £150, two at £120 each, four at £100 each, and from that gradually lower; yet all incomes derivable from property, whether in the Towns or Royalties, are to be exempt from the proposed tax: Two Breweries and Distilleries are rated one at £100, and the other at £120; and thus it will appear that the estimated value of three small lots in Charlottetown, (improvements thereon included), is equal to what is offered by the Government for 13,300 acres of the most productive Township land in the Island.

Why property of the above description, which in case of invasion, would be the very first to suffer from the fire and depredations of an enemy, should be wholly exempted from a tax, the implied object of which is to provide for the defence of the Colony, may possibly be in a measure accounted for, by its being owned, in three of the cases referred to, by gentlemen who were members of the

Honbles.

Chas. Young, Executive Government, and leading men in the George Coles, Legislature, at the time the Bill was passed, W. W. Lord,

as will appear by the names mentioned in the margin; the last named gentleman having only resigned his seat at the Executive Board about six weeks ago, when on the eve of his departure for England; but he still holds his valuable property in Charlottetown.

The very title of the Act, in the opinion of your petitioners, implies a departure from Her Majesty's Instructions, as no two objections can be more essentially dissimilar, than *providing an armed force for the defence of the Colony, and the further encouragement of Education*; yet in that part of the Royal Instructions which relates to the passing of laws, it is distinctly and expressly enjoined "that each different matter be provided for, by a different law, without including in one and the same Act such things as have no proper relation to

each other." And this circumstance, your petitioners submit, affords tangible proof that the object of the Legislature in passing the Bill, was not what appears on the face of it, but in reality was to harass and oppress a particular class of Colonists, with whose interests those of a majority in the Assembly, having little or no stake in Township lands, do not happen to be identified.

Your petitioners are of course unacquainted with what arguments the Lieut. Governor may make use of, in support of a measure to which he has already assented in his place in the Legislature, or how far such may influence a Colonial Minister in the final disposal of the same. But your petitioners humbly apprehend, that the Lieut. Governor's recommendation of any measure introduced by that Government of which he is the head, and carried through both Houses of the Legislature, it must be assumed, with his full knowledge and concurrence, is afterwards assented to and recommended by him, in the ordinary course of proceeding in such cases. And any other course would appear inconsistent with the good understanding usually supposed to exist between the Governor of a Colony and his sworn confidential advisers, and might also operate prejudicially towards His Excellency, by a vote of "*want of confidence*" being passed on him, by a resolute and unscrupulous majority in the Assembly. The suspending clause, therefore, seems the only safeguard against the enactment of oppressive statutes in the Colonies, the addition of which, to all Acts of an unusual and extraordinary tendency, has been strenuously enforced by the Crown, since Governments were first established in the North American Dependencies. And your petitioners venture to express a hope, that the benefit of that clause will not be denied to their several and respectful petitions against the measures referred to, viz:—No. 1. "An Act to impose a rate or duty on the Rent Rolls of the Proprietors of certain rented Township lands in Prince Edward Island, in order to defray the expenses of any armed force which may be required on account of the withdrawal of the troops, and for the further encouragement of Education." And—No. 2. "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the soil." Why your petitioners are thus harassed, has been explained in former representations addressed to the Colonial Office on the subject, the leader of the local Government having declared in the Assembly, that his object is to compel the owners of Township lands to sell them to the Government, under the provisions of an Act enabling the local authorities to re-sell and dispose of the same to their numerous friends and adherents. This species of legislation, if sanctioned, will render nugatory various gracious Acts of favour and indulgence, conferred upon the original grantees and their heirs by Her Majesty's royal predecessors, which may not be specifically enumerated here. And your petitioners beg leave respectfully to impress on your consideration, that the lands in Prince Edward Island have in many cases descended to their present owners through three successive generations, having become subject in some cases to securities for debt, settlements for dower, testamentary and other provisions, and the titles to them were in various instances acquired upwards of eighty years ago, amidst the hardships and privations incident to an infant Colony. The deprivation of lands so held, under a harsh and compulsory system of legislation, adopted to suit party purposes, and persevered in from interested motives, cannot so greatly to unsettle the security of every description of property in this Island, to drive persons of capital away from it, an effect which is already being felt, and must also tend to lessen the confidence hitherto reposed in the protection of the Crown, and in the integrity of British institutions.

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We, therefore, humbly pray that the foregoing and three other petitions on the subject of the said Bills—two of which, dated the 4th and 19th of June, 1855, were addressed to Her most gracious Majesty, and one dated the 4th of June, to the Right Honorable Lord John Russell—may be taken into consideration along with the said Bills; and we further pray, that on the grounds stated, you will be pleased to recommend Her Majesty to disallow the said Bills. And your petitioners shall ever pray, &c. &c. &c.

(Signed)

R. BRUCE STEWART,
SAMUEL NELSON,
JOHN A. McDONALD,
For self and brother,
HENRY PALMER,
JAMES H. CONROY,
J. A. M. McDONALD,

ELLEN STEWART,
MARY STEWART,
MARY D. B. IRVING,
CHARLES WRIGHT,
J. R. BOURKE,
J. W. E. WERE,
Wm. CUNDALL.

Charlottetown, P. E. Island, }
27th August, 1855. }

Extract from the Minutes of the Executive Council.

COUNCIL CHAMBER, 27th August, 1855.

At a Meeting of a Committee of the Executive Council.

His Excellency the Lieutenant Governor having submitted for the consideration of a Committee of the Executive Council, a Paper purporting to be a Petition of certain owners of Township Lands in Prince Edward Island, the object of which is to induce Her Majesty's Secretary of State for the Colonies to advise that the Royal Assent shall not be given to two Bills transmitted to the Colonial Office, passed by the Legislature of this Island, at its last sitting—the one for imposing a Rate or Duty on the Rent Rolls of the Proprietors of Township Lands,—and the other to secure Compensation to Tenants, and thereby to promote the improvement of the soil; and the Committee having taken the said Petition into their serious consideration, beg to report as followeth:—

May it please Your Excellency:

Before entering on the arguments urged by the Petitioners, we cannot refrain from remarking on the peculiar, unjust and malignant spirit exhibited by the manner in which they bring their case under notice. We allude to two allegations, totally groundless, made by these parties—the one against three Members of Your Excellency's Government,—the second, against the whole Body. In regard to the first, they certainly well know that the taxes existing on Lands already are applied to purposes of Education; and that of the Councillors of whose injustice they complain, neither the Honorable George Coles, (the introducer of the Education Bill), the Honorable C. Young, nor the Honorable William W. Lord, derive the slightest benefit from that measure.

The other most objectionable statement is where the Petitioners speak of an Act "enabling the authorities to sell and dispose of lands purchased under the Land Purchase Bill to their numerous FRIENDS AND ADHERENTS." These Petitioners well know that the Land Purchase Bill gives the Tenants or Occupiers of improved Lands the right to purchase their occupations—be they friends or foes of any Administration—and that no part of it can bear the construction they have put on it.

We further beg to remark, that Charles Wright, Esquire, one of the subscribers to this Petition, has already endeavoured to communicate with the Colonial Minister, without submitting his letter to Your Excellency, and although his endeavour was not permitted to take effect, the attempt exhibited the spirit in which these parties would act.

We now come to a part of this subject which is, if possible, even of more importance, namely, a renewal of the system by which every Act of the different Branches of the Legislature, in which your Excellency especially is included, is, it appears, undergoing, not the revision of Her Majesty's Ministers, but of a Body unknown to the Constitution, and consisting of parties, for the most part, who, though unable to command attention in the local Legislature, nevertheless seek to counteract its decisions at the Colonial Office.

The people of this Island had reason to expect, that when Her Majesty graciously accorded to them what is commonly termed Responsible Government, this secret and baneful influence would be discarded, and the discussion of Island affairs no longer take place through the oratory of malcontents assembled in Downing Street, but in the Colonial Legislature. Far be it, nevertheless, from us to desire the doors of the Colonial Office to be shut against those who think they have reason to complain of the Government or local Legislature of this Island; but we cannot refrain from observing, that the frequent exercise of this principle, as we gather from the public Journals—exhibiting, as it does, a systematic opposition to every act of legislation, has a very injurious effect on the minds of the people of this Colony, and engenders very great distrust.

We are sorry to be obliged to add, that it is by this course of procedure alone, and by no salutary attempt to participate in or originate any act for the promotion of the general welfare, that the Proprietors of Land in this Colony are known, and it is the fundamental cause of their enjoying so little of the sympathy of its people.

Your Excellency has had so recently under your notice the Bills to secure Compensation to Tenants, &c., that we have not thought it necessary to trouble you on that subject.

A true Extract, which I certify, }
CHARLES DESBRISAY, Clerk Ex. Council. }

APPENDIX No. 2.

(See page 15.)

Copy of a Despatch from the Right Honorable H. Labouchere, Secretary of State for the Colonies, to His Excellency Lieut. Governor Daly, in reference to what is usually termed "The Land Question."

No. 3. DOWNING STREET, 21st December, 1855.

SIR;

Upon entering on the duties which Her Majesty has been pleased to confide to me, I could not avoid giving my most serious attention to the correspondence which has recently taken place with regard to two Acts of the Legislature of Prince Edward Island, to which Her Majesty's Government were unable to advise Her Majesty to give her assent.

2. I have at the same time found it necessary to review the series of transactions, extending over a long period of years, which are marked by the continued efforts of a large portion of the resident inhabitants of the Island, either to abolish altogether, or materially to curtail the rights of the owners of landed property.

3. I will not now repeat arguments which have been urged on various occasions by my predecessors; it will be sufficient for me to express my decided opinion, that whatever character may properly attach to the circumstances connected with the original grants, which have been often employed against the maintenance of the rights of the proprietors, they could not, with justice, be used to defeat the rights of the present owners who have acquired their property by inheritance, by family settlements, or for valuable consideration.

4. Seeing, therefore, that the rights of the proprietors could not be sacrificed without manifest injustice, I feel that it will be my duty steadily to resist by all means in my power measures similar in their

character to those which were recently under the consideration of Her Majesty's Government.

5. I desire, however, at the same time to assure you, that it was with much regret that Her Majesty's advisers felt themselves constrained to oppose the wishes of the people of Prince Edward Island, expressed through their representatives, and that it is my earnest wish to be spared the necessity of authoritative interference in regard to matters affecting the internal administration of their affairs.

6. With regard to the main object which has been frequently proposed by a large portion of the inhabitants, namely, that some means may be provided, by which a tenant holding under a lease may arrive at the position of fee simple proprietor, I am anxious to facilitate such a change, provided that it be effected without injustice to the proprietors.

7. There are but two ways in which such a change could be effected. The first is the usual and natural one of purchase and sale between the tenant and the owner; and no reason appears as yet to have been stated why, if the tenants offer to the landowners the full value of the right and interest of the landowner, sales and purchases cannot be effected. It would seem probable that at all events in the cases of non-resident owners, such fair offers would generally be accepted, and as the lands are usually let upon leases of extraordinary length, and at a small annual rent, there can, it would seem, be but few tenants who would not find the means of offering a fair price for buying up the annual rent of their holding.

8. The other method would be that the Government of the Island should treat with such of the landowners as might be willing to sell, and that the State thus becoming possessed of the fee simple of such lands as might thus be sold, should be enabled to

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afford greater facilities for converting the tenants into freeholders than the landlords themselves might feel an interest in doing.

9. An arrangement of this kind could probably not be made without a loan to a considerable amount, to be raised by the Island Government, the interest thereof to be charged upon the revenues of the Island. But Her Majesty's Government would not be indisposed to take into consideration any plan of this kind which you might submit to them, showing in what way the interest of such loan could locally be provided for, and what arrangements would be proposed as to the manner of disposing of the lands of which the fee simple might so be bought up.

10. I would observe, that by the proposed Tenants' Compensation Act it was provided that a landowner should, when he ejected a tenant for non-payment of rent, buy up his own land from the tenant at the rate of twenty years purchase of the difference between the original and the improved annual value of the lands. It is to be presumed that if the tenants or the Colonial Government were to offer to the proprietors twenty years purchase of their reserved rents, there are few, at all events, of the non-resident proprietors who would not accept such offers.

I have, &c.

(Signed)

H. LABOUCHERE.

The Lieutenant Governor of Prince Edward Island.

APPENDIX No. 3.

(See page 15.)

THE WORRELL ESTATE.

STATEMENT OF LANDS SOLD, UP TO FEBRUARY 1st, 1856.

Lots. No.	Acres of Wilderness Land sold.	Acres of occupied Lands sold.	Money paid.		Instalments due in 1856.		Interest due in 1856		Remainder to pay, bearing interest.	
			£	s. d.	£	s. d.	£	s. d.	£	s. d.
38	4602	552	618	5 10	196	9 9	99	0 11	1958	10 3
39	1108	1205	307	12 1	90	6 10	45	13 0	963	7 9
40	1155½	1977½	342	11 7½	111	15 1¼	55	17 8¾	1151	15 3
41	517	2480	415	18 0	107	1 8½	53	9 10½	1038	4 5
42	400	1254	185	19 8	60	9 9	30	2 3	602	7 6
43	43	574½	64	9 8	31	6 6	15	15 1½	315	15 7
66	265	263	84	3 6	13	2 7	6	11 3½	131	6 2
Totals,			8090½	8306	£610 12 2¾		306 10 8		6161 6 11	
Stumpage received,			11	11 6						
Deeds paid for,			37	1 0						
			£2077 12 10½							

WILLIAM SWABEY, Commissioner.

Statement of Assets, February 1st, 1856.

Value of Land sold, Deeds and stumpage,	£	s.	d.		£128	0	8
Value of Bonds,	8238	19	9½	Money to be returned by vendors,			
Interest for 2½ years on Bonds,	1500	0	0	Value of Wilderness Lands unsold,			
Deeds unpaid,	225	0	0	after deducting 12,000 acres of			
Reserved sites,	68	15	0	Swamp, 33,910 at 7s. per acre,	11,868	10	0
Promissory Notes,	800	0	0	Value of occupied Lands unsold, viz.,			
Rents,	57	10	0	21,254 acres, at 10s. per acre,	10,627	0	0
	130	0	0	Deeds to be made,	100	0	0
					£33,743 14 5½		

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EXPENSES	Brought forward— Assets,	£33,743 14 5½
<i>From January, 1855, to February 1st, 1856:</i>		
Salaries, -	£550 0 0	
Woodmen, -	55 0 0	
Loss by Land Tax, -	247 0 0	
Interest on Debentures,	900 0 0	
Roads, Surveys, &c. -	67 11 8	
	£1819 11 8	
 <i>Estimate of Expenses for the year 1856:</i>		
Salaries, -	£550 0 0	
Woodmen, -	40 0 0	
Loss by Land Tax, -	211 0 0	
Interest on Debentures, less annual interest on sales, -	593 9 4	
Road surveys, &c.	200 0 0	
	£1594 9 4	
		3414 1 0
		£30,329 13 5½

N. B.—In this Return, the number of acres is calculated on the amount as purchased, the verification of which cannot be accurately made until the survey is finally completed, but it is, no doubt, generally correct. The Land unsold is in the course of sale as fast as the proceedings can be carried out. The interest of £900 on Debentures is reduced by the deduction of annual interest payable on money to be paid by instalments, a fund which, in the year 1857, will be increased in proportion to the sales to be effected in the year 1856.

WILLIAM SWABEY, Commissioner.

APPENDIX No. 4.

(See page 34.)

Extract of a Letter from Sir C. E. Traveyan to Herman Merivale, Esq., dated "Treasury Chambers, 12th October, 1855."

"THE Lords Commissioners of Her Majesty's Treasury having had before them your letter of the 7th August, transmitting an Act for incorporating the Bank of Prince Edward Island,—I am commanded to acquaint you that my Lords have attentively considered the provisions of this Act.

* * * * *
"The only clause to which any important objection can be raised is contained in the second section of the Act, relating to advances on the collateral security of mortgages.

"It is now generally admitted to be inconsistent with sound principles of Banking, that the capital of a Banking Company should be locked up in securities which are not readily convertible and available therefor on emergencies.

"The Bank of England, although by its original charter constituted with the power of holding land and trading in its produce, has long since recognized this principle, and many years ago called in all the mortgages it held; and the evil consequences of allowing Banks to make advances on such securities have been strongly exemplified in the case of many Colonial Banks which, through that practice, become involved in the embarrassments of landed proprietors.

"On this account there is no point on which my Lords have been more careful in framing the clauses of Royal Charters for the incorporation of Colonial

Banking Companies than that of permitting the acceptance of mortgages as collateral security for advances."

"The regulations which their Lordships have laid down on this subject have had in view:—

1st, As the fundamental rule that the Company should hold no lands permanently, except for the purposes of its business."

2d, In order to prevent the inconvenience which might result from the strict application of this rule by debarring the Company from availing itself of the assets of an insolvent debtor, to permit the acceptance of mortgages on the assignment of landed property for debts *overdue*, but

3d, In order to guard against the relaxation of the rule from defeating its main object, to require that any lands or mortgages which might thus come into possession of the Company, should be sold or called in within such reasonable time as might be necessary for realizing them.

"My Lords gather from the first part of the clause in the Act referred to which limits the amount of real Estate to be held by the Corporation, and from the expression in the subsequent provision, that mortgages may be taken as *collateral* security only, that the Legislature of Prince Edward Island had in view the enactment of provisions founded on the same principle as the regulations prescribed by this Board.

"Their Lordships are, however, of opinion, that the details of the clause would fail in effecting that object. It would permit the Bank to take a mort-

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gage as collateral security for any sum 'advanced by the Corporation.' It does not state for any sum previously advanced and over-due, and it would therefore allow the Bank to make an advance to any one who might offer a mortgage as collateral security, and whom without such security the Bank would not be disposed to trust.

"It is obvious that in such a case the term 'collateral' would be merely nominal, and the mortgage would be the only available security for the debt. The clause is also defective, inasmuch as it contains no enactment for the realizing of the security within a reasonable time, and so far therefore as the enactment may be intended to prevent mismanagement in this respect, it would fail in its object, as it would be competent for the Bank, under its sanction, to lock up its capital in mortgages and retain them permanently.

"The point is so important that my Lords recommend Sir Wm. Molesworth to call the attention of the Governor of Prince Edward Island to it, and to suggest that an amendment of the Act in this respect should be proposed to the local Legislature.

"My Lords annex a clause which has been inserted in some recent Charters of Colonial Banks, and which appears to them to afford as much facility as can be required by such institutions for availing themselves of the security of real property for debts due to them, and at the same time to guard against the consequences to be apprehended from a too ready acceptance of such securities.

"I am further directed to state, that the 25th section which restricts the issue of Notes to Banks authorized by Law, or Royal Charter, might be construed to give a monopoly in that respect to the intended Bank of Prince Edward Island, and the chartered Banking Companies, and it would have

been better that the regulation of the issue of Notes should have been provided for by a general Act rather than in a private Act; but as my Lords consider that the local Legislature is not pledged by this clause to preserve any special privilege in regard to the issue of Notes which may be virtually obtained by the Bank of Prince Edward Island under the operation of the Act, they do not think it necessary to do any more than direct the attention of the Government of Prince Edward Island to the point, and to suggest for its consideration whether it may not be desirable to pass a general Act for restricting the issue of Notes to Banking Companies incorporated by Law or Royal Charter. And we further direct that, notwithstanding anything in our own said Charter contained, it shall be lawful for the said Company to accept any lands, houses, or other real or personal estate, in satisfaction, liquidation or payment of any debt absolutely and *bonâ fide* due to the said Company, and to take any mortgage or any other like charge as a security for any moneys due to the said Company, or for which parties may have rendered themselves liable to the said Company; and to hold such lands, houses, and other property or security thereon, for such reasonable time only after the said Company shall have acquired an absolute interest therein as shall be necessary for selling and disposing of and converting the same into money; and also that it shall be lawful for the said Company to sell, or otherwise convert into money, any goods, wares, and merchandize which shall or may be taken by them in satisfaction, liquidation, or payment of any debt, and to sell and convey any lands, houses, and other real property whatsoever, or any goods, wares, or merchandize which they may acquire in manner aforesaid.

APPENDIX No. 5.

(See page 34.)

(Copy—No. 7.)

Downing Street,
1st October, 1855.

Sir ;

I have received and had under my consideration seven Acts passed in the Legislature of Prince Edward Island in the months of March and April last, and transmitted to me in your despatch noted in the margin.

These Acts having been referred, by the Queen in Council, to the Lords of Committee of Privy Council for Trade and Foreign Plantations, the Committee have reported to Her Majesty, in Council, their opinion that the said Acts should be left to their operation ; and I have the honor to transmit to you herewith, an order of Her Majesty in Council, dated 24th September, approving that report.

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

(Signed) WM. MOLESWORTH,
Lt. Governor DALY, &c. &c. &c.

At the Court at Balmoral,
the 24th day of September, 1855.

PRESENT:

The Queen's Most Excellent Majesty ;
His Royal Highness Prince Albert,
Lord President, Viscount Canning.
Lord Privy Seal,

WHEREAS the Lieutenant Governor of Her Majesty's Island Prince Edward, with the Council and Assembly of the said Island, did, in the months of March and April, 1855, pass seven Acts, which have been transmitted, entitled as follows, viz :—

No. 916.—An Act in addition to and further amendment of the Jury Law.

No. 917.—An Act to amend the Law relating to the performance of Statute Labor, and to authorise the establishment of certain additional Road Districts, and the appointment of Road Commissioners therefor.

No. 918.—An Act to enable the Government to ascertain the Population of this Colony, and to obtain other statistical information therein mentioned.

No. 919.—An Act to consolidate and amend the Acts now in force relating to the public Wharf in Georgetown, and other Wharfs.

No. 920.—An Act to establish a Normal School, and in further amendment of the Free Education Act.

No. 921.—An Act to consolidate and amend the Laws now in force relating to the office of Sheriff, in this Island.

No. 922.—An Act to prevent the running at large of Swine within the Town and Royalty of Princetown.

And whereas the said Acts have been referred to the Committee of the Lords of Her Majesty's most honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations ; and the said Committee have reported, as their opinion, to Her Majesty, that the said Acts should be left to their operation,—Her Majesty was, thereupon, pleased, by and with the advice of her Privy Council, to approve the said Report. Whereof the Governor, Lieutenant Governor, or Commander in Chief for the time being, of Her Majesty's Island Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed) C. F. GREVILLE.

APPENDIX.

(Copy—No. 9.)

Downing Street,
26th October, 1855.

Sir ;

I have received, and had under my consideration, fourteen Acts passed by the Legislature of Prince Edward Island in the month of April last, and transmitted to me in your despatch No. 49, of 13th August. These Acts having been referred, by the Queen in Council, to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council, their opinion, that the said Acts should be left to their operation; and I have the honor to transmit to you herewith, an Order of Her Majesty in Council, dated the 19th instant, approving that Report.

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

(Signed) G. GREY.

Lieut. Governor DALY, &c. &c. &c.

(Copy.)

At the Court at Windsor,
the 19th day of October, 1855.

PRESENT:

The Queen's most Excellent Majesty;	
His Royal Highness Prince Albert,	
Lord President,	Lord Panmure,
Lord Steward,	Sir George Grey, Bart.,
Earl of Clarendon,	Sir Charles Wood, Bart.,
Viscount Palmerston,	

WHEREAS the Lieutenant Governor of Her Majesty's Island Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1855, pass fourteen Acts, which have been transmitted, entitled as follow, viz:—

No. 923.—An Act in addition to the Acts now in force, relating to the Asylum for insane persons, and other objects of charity, near Charlottetown.

No. 924.—An Act authorising the appointment of additional Coroners in this Island.

No. 925.—An Act to consolidate and amend the Laws relating to the manner of proceeding upon controverted Elections of Members to serve in the General Assembly.

No. 926.—An Act to incorporate the Charlottetown Mechanics' Institute.

No. 927.—An Act in addition to the Act relating

to the office of Surrogate and Judge of Probate of Wills, and for granting Letters of Administration.

No. 928.—An Act to continue and amend the Act relating to Emigrants.

No. 929.—An Act relating to the office of Road Correspondent, and the appointment of Assistants in the several offices in this Island therein mentioned.

No. 931.—An Act to continue the Act relating to the limits and rules of Jails in this Island.

No. 932.—An Act to facilitate the partition of Lands held by persons as joint Tenants, co-parceners or Tenants in common.

No. 934.—An Act to authorise remuneration to the Members of the Legislative Council, for their services in the General Assembly.

No. 936.—An Act to continue and amend the Act relating to the Herring and Anwives Fisheries in this Island.

No. 937.—An Act to continue an Act to prevent the running at large of Hogs within the Town, Common, and Royalty of Charlottetown.

No. 938.—An Act relating to the Legislative Library.

No. 939.—An Act to amend the Laws now in force relating to the sale by license of Spirituous Liquors.

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

(Signed) W. L. BATHURST.

(Copy No. 10.)

Downing Street,
26th October, 1855.

Sir;

I have received and had under my consideration, an Act passed by the Legislature of Prince Edward Island, in the month of April last, and transmitted to me in your despatch No. 52, of 28th August.

APPENDIX

This Act having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council their opinion that the said Act should be specially confirmed, and I have the honor to transmit to you herewith, an Order of Her Majesty in Council, dated the 19th instant, approving that Report.

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

(Signed) G. GREY.

Lieut. Governor DALY, &c. &c. &c.

At the Court at Windsor,
the 19th day of October, 1855.

PRESENT :

The Queen's most Excellent Majesty;
His Royal Highness Prince Albert,

Lord President,	Lord Panmure,
Lord Steward,	Sir George Grey, Bart.,
Earl of Clarendon,	Sir Charles Wood, Bart.,
Viscount Palmerston,	

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1855, pass an Act, which has been transmitted, viz :—

No. 935.—An Act to naturalize James Searl Mann.

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

(Signed) W. L. BATHURST.

(Copy—No. 8.)

Downing Street,

5th February, 1856.

Sir;

I have received, and had under my consideration an Act passed by the Legislature of Prince Edward Island, in the month of April last, and transmitted to me in your Despatch No 933.

This Act having been referred, by the Queen in Council, to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council their opinion that the said Act should be left to its operation; and I have the honor to transmit to you, herewith, an Order of Her Majesty in Council, dated the 30th January, approving that Report.

I have the honor to be, Sir,

your obedient servant

W. LABOUCHERE.

Lieut. Governor DALY, &c. &c. &c.

At the Court at Buckingham Palace,
the 30th day of January, 1856.

PRESENT :

The Queen's most Excellent Majesty;
His Royal Highness Prince Albert,

Lord Chancellor,	Lord Panmure,
Lord President,	Lord Stanley, of Alderly,
Lord Privy Seal,	Mr. Labouchere,
Marquis of Lansdowne,	Mr. Vernon Smith,
Marquis of Abercorn,	Sir Charles Wood, Bart.,
Earl of Clarendon,	Mr. Baines,
Viscount Palmerston,	Mr. Chancellor of the Exchequer.

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1855, pass an Act, which has been transmitted entitled as follows, viz :—

No. 933.—An Act in addition to and amendment of the Act regulating the laying out and altering of Highways.

And whereas the said Act has been referred to the Committee of the Lords of Her Majesty's most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported

APPENDIX.

as their opinion to Her Majesty that the said Act should be left to its operation. Her Majesty was, thereupon, this day pleased, by and with the advice of her Privy Council, to approve the said Report,—whereof, the Governor, Lieutenant Governor, or Commander-in-Chief for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

(Signed) W. L. BATHURST.

(Copy—No. 1.) Downing Street,
23d November, 1855.

Sir;

I have received and had under my consideration an Act passed by the Legislature of Prince Edward Island in the month of April last, and transmitted to me in your despatch noted in the margin.

This Act having been referred by the Queen in Council, to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council their opinion, that the said Act should be disallowed, and I have the honor to transmit to you, herewith, an Order of Her Majesty in Council, dated 21st November, approving that Report.

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

(Signed) W. LABOUCHERE.

Lieut. Governor DALY, &c. &c. &c.

(Copy.) 10,812 *Prince Edward Island*.
Colonial Office, Whitehall,
22d November, 1855.

Sir;

I am directed by the Lord President of the Council to transmit to you the enclosed Order of Her Majesty in Council, of the 21st instant, for disallowing an Act passed in Prince Edward Island, in April, 1855, No. 930, and I am to request that you will be pleased to lay the same before the Secretary of State for the Colonial Department.

I am, &c. &c.

(Signed) W. L. BATHURST.

To the Under Secretary of State.

(Copy.)

Extract from Report of the Lords of the Committee of Privy Council for Trade, dated 15th November, 1855, recommending the disallowance of Prince Edward Island Act, No. 930.

“Because it is opposed to a leading principle of the British Stamp Act.”

At the Court at Windsor,
the 21st day of November, 1855.

PRESENT:

The Queen's most Excellent Majesty;

His Royal Highness Prince Albert,

Lord President,	Lord Panmure,
Lord Privy Seal,	Mr. Labouchere,
Lord Steward,	Sir George Grey, Bart.,
Viscount Palmerston,	Mr. Vernon Smith,
Viscount Canning,	Sir Charles Wood, Bart.,

WHEREAS the Lieutenant Governor of Her Majesty's Island Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1855, pass an Act, which has been transmitted, entitled as follows, viz:—

No. 930.—An Act relating to stamped Instruments.

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

(Signed) W. L. BATHURST.

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(Copy—No. 7.)

Downing Street,
1st February, 1856.

Sir;

I have received and had under my consideration, an Act passed by the Legislature of Prince Edward Island, in the month of April last, No. 914.

This Act having been referred, by the Queen in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, the Committee have reported to Her Majesty in Council their opinion that the said Act should be specially confirmed; and I have the honor to transmit to you, herewith, an Order of Her Majesty in Council, dated the 30th January, 1856, approving that Report.

I have the honor to be, Sir,

your obedient servant,

(Signed) W. LABOUCHERE.

Lieut. Governor DALY, &c. &c. &c.

At the Court at Buckingham Palace,
the 30th day of January, 1855.

PRESENT:

The Queen's most Excellent Majesty;

His Royal Highness Prince Albert,

Lord Chancellor, Lord Panmure,
Lord President, Lord Stanley, of Alderley,
Lord Privy Seal, Mr. Labouchere,
Marquis of Lansdowne, Mr. Vernon Smith,

Marquis of Aberdeen, Sir Charles Wood, Bart.,
Earl of Clarendon, Mr. Baines,
Viscount Palmerston, Mr. Chancellor of the Exchequer.

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1855, pass an Act, which has been transmitted, entitled as follows, viz:—

No. 914.—An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of Prince Edward Island.

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

(Signed) W. L. BATHURST.

APPENDIX No. 6.

(See page 35.)

Report of the Trustees of the Lunatic Asylum.

To the President of the Legislative Council :

Sir;

I have the honor to transmit, for the information of the Legislative Council, the Accounts connected with the disbursement of the sums voted for the repairs and improvements of the Lunatic Asylum and House of Industry, as likewise the Report of the Medical Officer for the year. It will be seen from the former that the necessary repairs and improvements, with the cost of additional Bedding, &c., have exceeded by £35 4s. 6½d., the £300 voted by the Legislature. There yet remains a very important improvement, which should be made, namely—a better system of warming the Cells, where there can be no possibility of open fires or stovepipes, with regard to safety.

A very important consideration is likewise adverted to by Dr. Mackieson, namely—the satisfactory treatment of Lunatic cases, when commenced at an early stage, as compared with the far less hopeful results of those of long standing. This happy consequence has resulted from the increased means placed in the hands of the Trustees.

The Trustees think they have carried out both the intentions of the Act, and the terms of the additional grant, with fidelity, which induces them to remark, that the means of extending relief or an assistance to destitute persons, is very limited,—all of which is left to the consideration of your honorable Council.

WILLIAM SWABEY,

Honorary Secretary for the Trustees.

March 13, 1856.

Annual Report of Paupers and Lunatics in the Asylum, from 1st Feb. 1855, to 31st Jan. 1856.

Nos.	NAMES.	Age	Diseases.	Remain- ed last Return	Admitted	Discharged	Died	No. of Weeks.	Rate per Week	Amount.
1	William Maher	73	Pauper	1	—	—	—	52	1-7	£ 21 5 10
2	Ann Rowe	54	Lunatic	2	—	—	25th June '55	20	5-7	8 9 2
3	Michael Grady	39	do.	3	—	—	—	52	1-7	21 5 10
4	Laurence Doonan	64	do.	4	—	—	—	52	1-7	21 5 10
5	Michael Malone	83	Pauper	5	—	—	—	52	1-7	21 5 10
6	Alexander Finlayson	66	Lunatic	6	—	—	—	52	1-7	21 5 10
7	Marin Pincau	32	do.	7	—	—	—	52	1-7	21 5 10
8	Thomas Power	60	Pauper	8	—	—	29th May	12	6-7	5 5 0
9	John M'Phee	36	Lunatic	9	—	—	—	52	1-7	21 5 10
10	Margaret Ferguson	33	do.	10	—	—	—	52	1-7	21 5 10
11	James Callaghan*	75	Pauper	11	—	3d February	—	0	3-7	0 3 6
12	William Brennan	59	do.	12	—	—	—	52	1-7	21 5 10
13	David Bride	33	Lunatic	13	—	—	—	52	1-7	21 5 10
14	Patrick Brennan	73	Pauper	14	—	—	—	52	1-7	21 5 10
15	Allen M'Swain	24	Lunatic	15	—	—	—	52	1-7	21 5 10
16	Esther Hill	29	do.	16	—	—	—	46	2-7	18 18 0
17	James Mahony	45	do.	17	—	—	21st Dec.	31	2-7	12 15 4
18	John Callaghan	52	do.	18	—	—	7th Sept.	31	2-7	12 15 4
19	John Lewis	—	do.	19	—	—	—	52	1-7	21 5 10
20	Thomas Young	33	do.	20	—	—	—	52	1-7	21 5 10
21	William Donavan	58	do.	21	—	6th June	—	18	—	7 7 0
22	James Murphy	79	Pauper	22	—	—	—	52	1-7	21 5 10
23	Mary Burnst	47	Lunatic	23	—	—	—	52	1-7	21 5 10
24	George Kelly†	22	Syphilis	24	—	15th May	—	14	6-7	6 1 4
25	Charles Hagins	36	Pauper	25	—	28th May	—	16	5-7	6 16 6
26	Edward M'Cann	66	Lunatic	26	1855	—	—	35	6-7	14 12 10
27	Christiana Brown	56	do.	27	31st May, 1855	—	—	33	1-7	13 10 8
28	Betsey Connolly§	46	do.	28	6th June	—	—	34	5-7	14 3 6
29	Benjamin M'Phail	31	do.	29	8th August	18th August	—	1	4-7	0 12 10
30	Euphemia Whelan	68	do.	30	24th September	—	—	18	4-7	7 11 8
31	Donald M'Leod	34	do.	31	24th September	—	—	18	4-7	7 11 8
32	John Livingston	40	do.	32	29th October	20th November	—	3	2-7	1 6 10
33	John Craddock	51	Pauper	33	29th October	13th November	—	2	3-7	0 19 10
34	Alfred A. M'Kenzie	32	Lunatic	34	24th November	—	—	9	6-7	4 0 6
					11th Jan. 1856	—	—	3	—	1 4 6
										£472 4 0

REMARKS:

* Dismissed for disobedience of orders.—† Discharged, by her promising to keep sober.—‡ Cured and sent to his duty.
§ Escaped from the window by night.—|| Cured and sent home to his family.

WILLIAM SWABEY, Honorary Secretary.

Lunatics supported by Friends, &c. &c.

Nos.	NAMES.	Age	Diseases	Remain- ed last Return.	Admitted	Discharged	Died	No. of Weeks.	Rate per Week	Amount			
										£	s.	d.	
35	William Blatch.*	56	Lunatic	1	—	—	—	52	8s	2d	21	5	10
36	Robert B. Irving†	57	do.	2	24th Feb. 1855	—	—	9	5-7	8s	3	19	4
37	Laurence Barret‡	26	do.	3	25th April	2d May	—	11	1-7	8s	4	11	0
38	Mary Morison§	70	do.	4	4th May	12th July	—	39	8s	2d	15	18	6
39	Daniel O'Connor	67	do.	5	30th July	—	—	26	4-7	8s	10	17	0
40	Ann M'Kenna	34	do.	6	13th December	—	—	7	2-7	8s	2	19	6
										£59 11 2			

REMARKS :

* Improved. —† Cured. —‡ Cared and brought home by his father. —§ Cripple. —|| Blind and lame.

Total in the Asylum, on the 31st January, 1856.

REMAINING	Males	Females	Total
Paupers	8	1	9
Lunatics	12	3	15
Boarders, Lunatics	1	1	2
Total	21	5	26

WILLIAM SWABEY, Honorary Secretary.

APPENDIX.

Report of the Medical Superintendent of the Lunatic Asylum.

January 31st, 1856.

Gentlemen;

According to my usual method, I have again the honor of presenting for your inspection, a succinct and tabular view of the state of the patients in the Lunatic Asylum for the last twelve months; this being my sixth annual Report.

During the year just closed, not less than twenty-seven lunatic patients have been under the care of the Institution, viz: nineteen males and eight females; of these, seventeen remained at the last Report, on January 31st, 1855, and ten have been admitted since the end of April, viz: seven males and three females.

In the total, 27 patients, 4 casualties have occurred during the year, viz: two deaths from epileptic fits, one of the cases being of 28 years standing in a female; the other, of six years duration in a male; the third death occurred in a female, from cancer of the stomach, producing great emaciation; and the fourth from bronchitis, in a male of broken constitution, at the age of sixty years.

Of the total number of patients, including chronic with recent cases, eight have recovered; and it is worthy of remark, that of the ten cases admitted since the end of April, five have already recovered, amounting, in those recent cases, to 50 per cent. in the short period of nine months.

The remaining five cases admitted during the year, being chronic, of many years standing, and therefore less promptly amenable to medical treatment.

In the accompanying statistical chart, you will observe that seventeen cases yet remain in the house, of whom four are "improved," and six "much improved."

In the class marked "not improved," amounting to eight, one of the female deaths is included; ano-

ther female remained only eight days under treatment, and then absconded, the remainder are from 6 to 17 and 37 years standing, and the last has been under treatment only nine days, and will, without doubt, terminate favourable.

The brief remarks appended to the list of Paupers will be found sufficiently explicit; they are all infirm, maimed, or otherwise superannuated invalids; death in one instance, occurred from cancer of the stomach, another is totally blind, two have epileptic fits, and the remainder are rendered helpless from rheumatic ailments and infirmities incident to old age, which render all attempts to procure remunerating labor from this class totally futile.

I may remark, in this place, that during the severity of the present winter, we have found the brick hot-air Furnaces in the cellar, quite inefficient, either to produce a temperate heat in the basement or in the small apartments on the first floor.

Lunatics, in general, are indifferent about clothing, and frequently toss off their bed-clothes in the coldest nights, and consequently incur the risk of getting chilled and frost-bitten; under these circumstances, it is of great consequence to be able to maintain a uniform regulated temperature in the dormitories and halls. To effect this object, the present appliances have been found perfectly inadequate, and urgently demand some decided improvement.

It is a source of much satisfaction to myself, as Superintendent of the Asylum, in the discharge of my usual, as well as in this my annual duty, to be able to report the satisfactory results and condition of the institution for the last twelve months, considering the unusual amount of sickness we have had to encounter, and the augmented demands which have been made on the time and attention of the matron,

APPENDIX.

steward and attendants ; these, I have the pleasure to state, have been at all times freely, cordially and efficiently afforded, and demand, in this place, my best acknowledgments.

During the past year (probably owing to the numerous and speedy recoveries effected in the Asylum) many applications for admission, from various parts of the country have been received, which, owing to the limited amount of our endowment, have been met with a refusal. To meet these increasing demands (although we have ample accommodation),

a prosperous Revenue and an enlarged legislative grant, will, I believe, constitute the *sine qua non* of their accomplishment.

I have the honor to be, Gentlemen,

your obedient servant

J. MACKIESON,
Medical Superintendent.

To the Board of Trustees
of the Lunatic Asylum.

SIXTH ANNUAL REPORT,

Exhibiting, in a tabular form, the place of Birth, Occupation, cause of Disease, and favorite pursuit, &c., of the cases of Insanity under treatment in the Asylum, near Charlottetown.

NAMES	Sex		Age	Place of Birth	Occupation	Married		How long insane.	Probable cause of Disease.	Favorite Pursuit or Hobby
	Males	Females				Single	Married			
Mrs. Ann Rowe	1	1	50	Barnstable	Spinster		1	25 years	Epileptic fits	Knitting and sewing
Michael Grady	1		38	P. E. Island	Baker	1	1	17 years	Fever	Indolent
Laurence Donan	1		57	Ireland	Labourer		1	9 years	Fright and hurt	Dread of prison
Marin Pineau	1		33	P. E. Island	Farmer			17½ years	Hereditary	
Alexander Finlayson	1		64	Scotland	Farmer			34 years	Blow on the head	
John M'Phee	1		37	P. E. Island	Farmer			6 years	Disputed property	Indolent
David Bryde	1		36	Ireland	Shoemaker			4 years	Intemperance	
Margaret Ferguson		1	33	P. E. Island	Spinster			14 years	Disappointed love	
William Blatch	1		56	England	Farmer			22 years	Hereditary	Drinking water
Angus M'Swain	1		23	P. E. Island	Farmer			2 years	Heats and colds	Quarrelsome
Esther Hill	1		26	P. E. Island	Spinster			13 years	Cold	
John Callaghan	1		49	Ireland	Farmer		1	2½ years	Intemperance	Knitting and sewing
James Mahony	1		41	Ireland	Shoemaker		1	6 years	Family broils	
Mary Burns		1	45	Ireland	Spinster		1	7 years		
Moses Simpleton	1		31	P. E. Island	—	1		1½ years	Disputed property	
Thomas Young	1		33	P. E. Island	Farmer		1	15 months		Indolent
William Dunovan	1		38	Ireland	Shoemaker		1	10 days	Cold and fatigue	Noisy
Laurence Barrett	1		25	P. E. Island	Farmer		1	1 year		Quiet
Edward M'Cann	1		60	Ireland	Sawyer		1	8 years		
Christiana Brown		1	56	Scotland	Spinster		1	20 years	Unfortunate	Knitting and sewing
Elizabeth Connelly		1	45	Ireland	Spinster		1	18 years	Loss of husband, &c	
Euphemia Whelan		1	66	Scotland	Spinster		1	4½ years	Cold	
Benjamin M'Phail	1		30	P. E. Island	Farmer		1	2 years	Disputed property	
John Livingston	1		40	P. E. Island	Farmer		1	6 months	Cold and wet	Quiet
Donald M'Leod	1		38	P. E. Island	Farmer		1	1 month	Intemperance	Reading
Arthur A. M'Kenzie	1		32	Nova Scotia	Teacher		1	3 months		
Ann M'Kenna		1	34	Ireland	Spinster		1			
	19	8					16			

J. MACKIESON, Medical Superintendent.

SIXTH ANNUAL REPORT,

Exhibiting, in a tabular form, the admissions, discharges, forms of disease and remedial results of the cases of insanity under treatment in the Asylum near Charlottetown.

NAMES.	Form of Mental Disease.	Subject to what other Diseases	When admitted	When discharged	Died	Not improved	Improved	Much improved	Reco-versed.	Remain- ing
Mrs. Ann Rowe	Imbecility	Epilepsy, &c.	March 8, 1849	June 25, 1853	1	1		1	1	1
Michael Grady	Premittent Insanity	Gastridynia, &c.	Aug. 13, 1848			1				
Laurence Doonan	Melancholia		Aug. 16, 1848							
Marin Pineau	Mania Furibanda		Dec. 2, 1850							
Alexander Finlayson	Amentian		March 27, 1849							
John M. Phee	Polymania Nutis		March 5, 1852							
David Bride	Pantomania		April 26, 1852							
Margaret Ferguson	Imbecility	Debility	May 25, 1852							
William Blatch,	Polymania Mitis		Dec. 5, 1853							
Angus M. Swain	Polymania		March 16, 1854							
Esther Hill	Dementia	Amenorrhœa	April 10, 1854	December 20, 1855	1	1				
John Callaghan	Polymania		July 20, 1854							
James Mahony	Moral Insanity	Apopleatic Convulsions	July 20, 1854	September 7, 1855	1					
Mary Burns	Moral Insanity	Chronic Hepotetis	July 22, 1854	May 14, 1855						
Moses Simpleton	Dementia		Nov. 7, 1854							
Thomas Young	Mania Furibanda		Dec. 27, 1854	June 1, 1855						
William Donavan	Mania		Dec. 27, 1854							
Laurence Barret	Polymania Furibanda		April 25, 1855							
Edward M. Cann	Imbecilitus Frangulla		June 6, 1855	July 12, 1855						
Christiana Brown	Polymania Nutis		June 9, 1855	January 22, 1856	1					
Elizabeth Connolly	Melancholia	Chronic Gastritis	Aug. 9, 1855	Aug. 16, absconded						
Euphemia Whelan	Melancholia		Sept. 24, 1855							
Benjamin M. Phail	Mania Agatata		Sept. 24, 1855							
John Livingston	Moral Insanity		Oct. 29, 1855	Nov. 11, 1855						
Donald M. Leod	Melancholia Tranquilla		Oct. 29, 1855	Nov. 19, 1855						
Arthur A. M. Kenzie	Mania	Diterrum Tremens	Jan. 11, 1856							
Ann M. Kenna	Moral Insanity	Gastritis	Jan. 23, 1856							
					4	8	4	6	8	17

SIXTH ANNUAL REPORT.

Exhibiting, in a tabular form, the names, admissions, discharges, place of birth, occupation and disease, of the Paupers under treatment, in the Lunatic Asylum, near Charlottetown.

NAMES.	Males		Females		Age	Place of Birth	Occupation	Single	Married	Disease	Admitted	Discharged	Died	Remain- ing
William Magher (a)	1				72	Ireland	Sawyer	-	1	Amatrosis	June 26, 1848			1
Michael Malone (b)	1				81	Ireland	Fisherman	-	1	Cough, &c.	October 23, 1848			1
Thomas Power (c)	1				63	Ireland	Labourer	1	-	Rheumatism	June 4, 1851	March 29, 1855		
James Callaghan (d)	1				74	Ireland	Farmer	-	1	Helpless	November 8, 1852	Feb. 2, 1855		
William Brennan (e)	1				58	England	Farmer	1	-	Hernia	Nov. 16, 1852			
James Murphy (f)	1				79	Ireland	Farmer	-	1	Rheumatism	January 5, 1855			
Patrick Brennan (g)	1				73	Ireland	Labourer	-	1	Rheumatism	July 9, 1853			
George Kelly (h)	1				21	Jersey	Mariner	1	-	Syphilis	July 18, 1855	May 31, 1855		
Mary Morrison (i)				1	69	England	Teacher	-	1	Paralysis	May 5, 1855			
Charles Hogan (j)	1				35	Ireland	Farmer	-	1	Epilepsy	June 1, 1855			
Daniel O'Connor (k)	1				66	Ireland	Labourer	1	-	Elephantiasis	July 30, 1855			
John Craddock (l)	1				51	England	Labourer	1	-	Hernia	Nov. 24, 1855			
	11			1				5	7					

REMARKS:

- (a) A confirmed case of Amatrosis, of 13 years standing. — (b) Subject to cough and renal irritation. — (c) Died from cancer of the stomach.
 (d) Superannuated, with impaired vision. — (e) Helpless, from scrotal hernia, and chronic rheumatism. — (f) Subject to chronic rheumatism.
 (g) Subject to cough and rheumatism. — (h) Discharged, cured. — (i) Paralytic in the lower extremities, at present attacked with erysipelas.
 (j) Subject to epileptic fits—blind of an eye. — (k) Elephantiasis of one leg, of 14 years standing.
 (l) Paralytic on one side, and subject to epileptic fits.

JOHN MACKIESON, Medical Superintendent.

APPENDIX No. 7.

See page 35.

REPORT OF THE INSPECTOR OF SCHOOLS FOR 1855.

TO THE MEMBERS OF THE BOARD OF EDUCATION.

GENTLEMEN ;

I have now the honor to lay before you the results of my inspection of the schools of the Colony during the past year. Having given so minute an account of the condition of each school in my last report, I shall at present confine myself to general statistics—giving a tabular statement of the number of children under tuition in each district—adding a few remarks on the various branches taught in the schools.

The following is a summary of the number of schools in the different Counties, which have been in operation during

the whole or part of the past year, with the number reported on in the last report :—

	SCHOOLS.		CHILDREN ON THE REGISTER.	
	1854.	1855.	1854.	1855.
Prince County,	38	53	1808	2340
King's County,	49	69	2419	3268
Queen's County,	101	119	5190	5744
French Acadian,	11	17	505	781
	<hr/>	<hr/>	<hr/>	<hr/>
Primary Schools,	199	258	9,922	12,133
		<hr/>		<hr/>
Total,		270		

TABULAR STATEMENT OF SCHOOLS AND OF CHILDREN UNDER TUITION. PRINCE COUNTY.

SCHOOL.	TOWNSHIP.	TEACHER.	REGISTER.		READING.	WRITING.	ARITHMETIC.	GRAMMAR.	GEOGRAPHY.	DICTATION.	ALGEBRA.	BOOK-KEEP'G.	GEOMETRY.	LATIN.	COMPOSITION.	AG. CHEM.
			BOYS.	GIRLS.												
Baltic,	18	Alexander McLean,	60	29	31	60	28	21	14	12						
Darnley,	18	Leland H. Stumbles,	48	32	16	48	11	6	6	6						
Fanning, Grammar,		Neil McDougall,	60	36	24	60	42	43	18	18		2				
Oyster Cove,	18	Wm. Wilkinson,	42	29	13	42	24	23	16	5						
Indian River,	18	Daniel Daly,	44	27	17	44	18	16	10	8	9					
Barrett's,	19	Neil McKelvie,	42	29	13	42	25	35	4	30		1				
Bowness,	25	Rev. Mr. Dunbar,	34	23	11	34	28	25	7	10						
Kelvin Grove,	19	Neil Woodside,	29	15	14	29	13	10								
Freetown, Upper,	25	Catherine Crawford,	23	15	8	23	8	5	2							
Freetown,	25															
Grove,	25	James Schurman,	47	27	20	47	35	27	7	47						
North Bedeque,	25	Thomas Patterson,	46	24	22	46	37	28	20	16	20			2		
Wilmot,	19	Roderick Munro,	54	26	28	54	14	15	13	16						
Summerside,	17	Robert McC. Stavert,	69	29	40	69	30	20		20						
St. Eleanor's,	17	Josiah McLeod,	66	31	35	66	40	59	16	37	33	2				
Linkletter,	17	James H. Fitzgerald,	43	25	18	43	16	14	4							
North St. Eleanor's,	17	John McLeod,	42	19	23	42	30	29	15							

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APPENDIX.

SCHOOL.	TOWNSHIPS.	TEACHER.	REGISTER.	BOYS.	GIRLS.	READING.	WRITING.	ARITHMETIC.	GRAMMAR.	GEOGRAPHY.	DICTIONATION.	ALGEBRA.	BOOK-KEEP'G.	GEOMETRY.	LATIN.	COMPOSITION.	AG'L. CHEM.
Eastern,	16	Neil McLean,	20	13	7	20	20	6	8	8							
Central,	16	Roderick McDonald,	27	16	11	27	2	5	1								
Western,	16	John McKinnon,	34	20	14	34	14	14	2								
Cross Rivers,	14	James McDougall,	59	43	16	59	18	12	1								
Birch Hill,	13	John Burns,	72	42	30	72	38	11		5							
Trout River,	13	James H. Fitzgerald,	26	13	13	26	6	6	1	6			1				
Bideford,	12	Thomas Key,	42	23	19	42	36	18	11								
Frederick Cove,	11	Martin Ryan,	52	27	25	52	34	27	2	5							
Union,	4	James Sinclair,	49	27	22	49	18	10		10							
Kildare River,	3	Robert Hawkins,	51	32	19	51	35	8									
Kildare,	3	Patrick Connick,	65	27	38	65	14	10	8	9			2				
Kildare Capes,	3	G. W. Underwood,	50	25	25	50	13	12	6	7							
Tignish (Chapel),	1	James Gillander,	36	22	14	36	20	12	8								
Nail Pond (East),	1	Patrick Connick,	44	27	17	44	23	10	2	6							
Nail Pond (West),	1	Fidele Gaudet,	51	23	28	51	15	4	2	1							
Campbelltown,	4	Donald Gordon,	35	18	17	35	19	11	3	19							
Cape Wolfe,	7	Michael Kelly,	48	28	20	48	28	10									
Abraham's,	15	Joseph Arseneaux,	44	25	19	44	21	24	13	5							
Plate,	17	John Taylor,	41	19	22	41	30	21	3	41							
Richmond,	19	Robert Wilson,	40	20	20	40	8	13	6								
New Annan,	19	Dubois Smith,	62	40	22	62	26	15	5	10							
Central Bedeque,	26	Alfred A. McKenzie,	62	33	29	62	46	46	39	42	21					23	9
Middleton,	27	Ephraim Muttart,	50	23	27	50	27	15	7	9							
South-West,	27	Cornelius Harrington,	67	36	31	67	18	18	3								
Lower Bedeque,	26	James Sinclair,	46	16	30	46	20	10	4	23							
Sea Cow Head,	26	Margaret Millar,	35	20	15	35	27	17									
Scarletown,	27	Thomas Pickering,	46	22	24	46	24	27	14	24							
Tryon Road,	27	James McGrath,	53	28	25	53	40	22	16	8							
Carleton,	28	Jonathan Matthewson,	47	24	23	47	16	13	3	3							
Cape Traverse,	28	Neil McFadyen,	55	31	24	55	20	14	10	9	10						
Augustine Cove,	28	Henry Wadman,	54	36	18	54	32	17	7	29	21						
Tryon, West,	28	Alex. McDonald,	49	38	11	49	29	29	9	23							
Tryon, East,	28	Robert Leard,	32	21	11	32	10	10	5								
Tryon, Upper,	28	Strang Hart,	47	25	22	47	16	16	2	16							
Margate,	19																
Sea Cow Pond,	1																

Vacant when visited.
Vacant when visited.

KING'S COUNTY.

Savage Harbour,	38	James Ross,	65	36	29	65	19	28	15	16							1
Hillsborough,	38	Malcolm Douglas,	39	22	17	39	32	29	11	23							
Lake,	39	Alex. McLaren,	64	33	31	64	41	31	4	13							
Mount Mary,	39	Henry Anderson,	41	25	16	41	17	11	1	3							
Morell,	40	Francis Anderson,	42	14	28	42	26	22	6	1							
Morell, Rear,	39	Simon Gill,	51	25	26	51	17	9	1								
St. Peter's (old),	39	Robert McEwan,	32	18	14	32	22	20	6	6							
Marie,	40	Michael Scully,	55	31	24	55	16	18									
Midgell,	41	John McLeod,	56	24	32	56	41	26	12	9							
Cardigan Head,	41	Donald McDonald,	40	23	17	40	9										
Bay Fortune Road,	41	John Campbell,	42	22	20	42	14	3									
Head of St. Peter's,	41	John Parker,	39	26	13	39	26	24	5	8							
North St. Peter's,	40	Sampson Farquharson,	40	26	14	40	20	20	9	9	9					1	1

APPENDIX.

SCHOOL.	TOWNSHIP.	TEACHER.	REGISTER.		READING.	WRITING.	ARITHMETIC.	GRAMMAR.	GEOGRAPHY.	DICTATION.	ALGEBRA.	BOOK-KEEP'G.	GEOMETRY.	LATIN.	COMPOSITION.	AG'L CHEM.
			BOYS.	GIRLS.												
Cable Head,	41	John McCormack,	56	27	29	56	31	15	2							
Goose River,	42	Angus McDonald,	49	31	18	49	30	12	3	6						
Big Cape,	42	Ronald Campbell,	71	43	28	71	35	30	27	31						
St. Margaret's,	44	Alex. McDonald,	67	35	32	67	23	19	5	20						
Big Bush,	44	Donald McIntosh,	24	12	12	24	4	4	3							
Rock Barra,	45	Sarah McDonald,	54	25	29	54	17	13								
Priest Pond,	46	Stephen Campbell,	48	30	18	48	41	38	11	3						
St. Columba,	47	Angus McEachern,	33	17	16	33	12	12								
North Lake,	47	John McLellan,	57	30	27	57	23	18	6	4						
East Point,	47	John McLean,	32	15	17	32	20	9	6	10						
Cross Roads,	47	John Stewart,	32	20	12	32	22	14	8	7						
Kingsburgh,	47	Duncan Robertson,	40	26	14	40	30	20	17	17	1			3		
Chepstow,	45	John McInnis,	48	33	15	48	23	12	9	9						
Souris, East,	45	Cornelius Harrington,	60	38	22	60	30	20	7	6		2				
Line Road,	45	Elizabeth McAulay,	66	43	23	66	26	14								
Souris, West,	44	John McNeill,	43	24	19	43	20	12	4	3						
Rollo Bay,	44	Mark Sweeny,	54	27	27	54	18	16	32	33						
Red Point,	45	Peter Stewart,	36	19	17	36	28	15	10	13						
Line Road,	43	Patrick Sweeny,	47	24	23	47	15	3	13	13						
Bay Fortune,	43	Artemas Morrow,	68	30	38	68	27	20	2	4						
Eglinton,	43	William Norton,	53	32	21	53	40	45	13	4						
Little Pond,	56	James McDonald,	52	35	17	52	25	23	5	6						
Baltic,	55	Thomas Munro,	30	18	12	30	19	10	4	3						
Cumberland,	55	Euphemia Robertson,	27	14	13	27	14	5	5	6						
Baltic, North,	55	John Keenan,	43	25	18	43	13	8	12	12						
Grand River,	55	Ronald McCormack,	58	29	29	58	24	22	12	14						
De Gros,	54	Daniel McLaren,	38	21	17	38	19	10	12	5						
Launching,	55	Arch'd McDonald,	57	36	21	57	26	18	8	9						
Cardigan, North,	53	Donald A. Morrison,	63	30	33	63	14	4	4	4						
Hemlock Grove,	51	James O'Reilly,	61	36	25	61	13	13	12	24						
Baldwin's Road,	51	John Corcoran,	66	41	25	66	2	1								
Pisquid Road,	52	Donald Robertson,	71	36	35	71	19	22	8	6						
St. Peter's Road,	53	John Stewart,	36	21	15	36	16	7								
Cardigan Head,	53	Charlotte Alley,	41	22	19	41	16	11	7	9						
Rosencath,	52	John Stewart,	43	18	25	43	22	17	9	8			2	2		
Georgetown Royalty,		John Morrison,	33	22	11	33	13	13	8	2						
Georgetown,		Malcolm McLeod,	53	30	23	53	44	52	43	31	15	1		2	14	8
New Ferth,	51	John McNeill,	43	22	21	43	25	23	12	11						
Brudenell,	52	Robert B. Irving,	43	30	13	43	28	26	12	12		5		5		
Shamrock,	51													Vacant when visited.		
Thistle,	51	Donald Campbell,	74	41	33	74	32	20	8	5						
Montague, Upper,	59	Samuel Mutch,	34	18	16	34	15	14	10	2						
Montague,	59	Peter Ross,	42	23	19	42	30	25	25	25				2		
Albion,	59	Hector Campbell,	34	18	16	34	16	11	13	6	6					
Gasperaux,	61	John T. Poole,	31	14	17	31	17	3								
Peters' Road,	63	Archibald McKinnon,	43	26	17	43	10	8								
Murray Harbour,	63	James Stewart,	62	32	30	62	30	36	9	11						
Sturgeon,	61	Harriet McKeown,	67	31	36	67	19	6	10	5						
Douse,	59	Daniel Robins,	45	34	11	45	16	9	6	6						
Brown's Creek,	59	Marion Campbell,	48	33	15	48	21	12	1							
Murray,	64	Isaac Beers,	45	28	17	45	25	15	2	8						

APPENDIX.

SCHOOL.	TOWNSHIP.	TEACHER.	REGISTER.	BOYS.	GIRLS.	READING.	WRITING.	ARITHMETIC.	GRAMMAR.	GEOGRAPHY.	DICTATION.	ALGEBRA.	BOOK-KEEP'G.	GEOMETRY.	LATIN.	COMPOSITION.	AG'L. CHEM.
South River,	64	Malcolm McDonald,	57	29	28	57	21	26	9	9			1				
Geurnsey Cove,	64	Malcolm McFayden,	50	25	25	50	10	12	3	3			1				
White Sands,	64	Roderick McRae,	48	30	18	48	31	19	7	5			1				
High Bank.	64	John McDonald,	46	25	21	46	17	6	3								
Little Sands,	64	Angus Blue,	40	24	16	40	17	11	10	11							

QUEEN'S COUNTY.

Cross Roads,	48	John Butler,	56	42	14	56	40	29	11	6		4					
Squaw Bay,	49	Daniel McLean,	44	26	18	44	19	22	6								
Bunbury,	48	Mrs. McDonald,	35	14	21	35	30	20	20	26	4						
Fullerton's Marsh,	48	Donald Currie,	45	29	16	45	33	27	17	23	16	4	3				
Donagh,	35	Owen Began,	59	37	22	59	20	8									
Glenfinnan,	35	Patrick McKenna,	52	26	26	52	16	12	10	12	20		1				
Fort Augustus,	36	Patrick F. Doyle,	60	40	20	60	20	28		5							
Back Road,	48	James Douglas,	44	18	26	44	16	14	6	10							
Albion,	48	Alexander Smallwood,	34	16	18	34	10	9		10							
Baltic,	48	Roderick Munn,	31	13	18	31	25	19	13		12						
Pownal,	49	Donald Farquharson,	43	22	21	43	29	27	8	10		1	1				
Mount Mellick,	49	Alexander McNeill,	50	30	20	50	35	32	20	22	17		14			9	
Cherry Valley,	50	James Kelly,	69	41	28	69	23	14	6	4	8		1				
Gallows Point,	50	Malcolm Martin,	53	30	23	53	10	7	3	3							
Monaghan,	36	William Morrisay,	80	46	34	80	16	9	2								
Lake Verd,	43	James Smith,	42	26	16	42	9	2	2	2							
Seal River,	50																
Vernon River,	50	Daniel Eaman,	66	49	17	66	38	25	6	6	12						Vacant when visited.
Pisquid Road,	49																
Alberry Plains,	49	Richard Burke,	41	19	22	41	10	1									
Uigg,	50	William Ross,	78	39	39	78	41	50	26	15							
Rear,	57	Ewen Lamont,	46	26	20	46	24	23	15	8							
Orwell, North,	50	John Brooks,	54	38	16	54	40	26	16	8			6				
Orwell Cove,	57	John McPhail,	56	33	23	56	41	35	4	5	8						
Newtown,	57	John Power,	48	29	19	48	26	23	7	9							
Newtown, Lower,	57	William McPhail,	65	29	36	65	40	42	32	32	34						
Montague, West,	57	James Finlay,	42	25	17	42	23	19	5	1							
Montague, East,	58	John O'Connell,	40	27	13	40	16	12		6							
Portage,	57	John Ross,	59	35	24	59	27	24	16	7			4				
Buchanan,	57	Alexander Beaton,	55	31	24	55	30	10	6	4							
Point Prim,	57	Donald McLeod,	46	19	27	46	17	17	8	3							
Pinette,	58	Arch'd McDonald,	56	32	24	56	37	16	2	2							
South Pinette,	60	Nathaniel Stramberg,	51	20	31	51	25	14	4	12							
Flat River,	60	Alexander Beaton,	32	20	12	32	18	14	3								
Belle Creek,	62	Alexander McEachern,	63	42	21	63	38	29	15	5							
Wood Islands,	62	John McMillan,	55	32	23	55	17	20	5	2			1				
Raasa,	60	John Morrison,	40	21	19	40	20	14	11	6							
Green Marsh,	58	Donald Bethune,	40	24	16	40	13	6	6	1							
Murray Harbor R'd,	57	Kenneth McKenzie,	58	35	23	58	19	15	11	5							
Pisquid, East,	37	Linus Walker,	41	27	14	41	20	20	6	8							
Glenroy,	36	John Fitzpatrick,	36	18	18	36		7		5							
Ten Mile House,	35	Patrick McQuaid,	66	37	29	66	32	16	15	11			1				
Glenaladale,	36	Michael McNeill,	55	24	31	55	15	5									
Donaldston,	35	Abercrombie Willock,	54	29	25	54	13	12									
Grand Tracadie,	35	Jane McDonald,	40	20	20	40	25	15									
Mill Cove,	35	John McSwain,	40	21	19	40	22	3		3							

APPENDIX.

SCHOOL.	TOWNSHIP.	TEACHER.	REGISTER.	BOYS.	GIRLS.	READING.	WRITING.	ARITHMETIC.	GRAMMAR.	GEOGRAPHY.	DICTIONARY.	ALGEBRA.	BOOK-KEEP'G.	GEOMETRY.	LATIN.	COMPOSITION.	AG'L CHEM.
Dunstaffnage,	34	Charles McNeill,	74	44	30	74	41	40	35	45	19		2				
Stanhope,	34	Wm. Richardson,	48	23	25	48	32	14	9	10			5				
Covehead,	34	Lemuel Miller,	51	30	21	51	25	18	12	15							
Covehead Road,	34	John Gallagher,	45	29	16	45	12	20	12	20			1				
Little York,	34	Mary A. Anderson,	48	26	22	48	16	9	3	10							
St. Peter's Road,	34	Robert Robertson,	44	22	22	44	31	16	5	16		1	2				
Suffolk,	34	Henry Vickerson,	37	17	20	37	20	19	7	14							
Tracadie Road,	34	Christina Ross,	48	24	24	48	27	22	8	3							
Union Road,	33	Sarah Henderson,	30	14	16	30	17	11	4	1							
Brackley Point,	33	James Stewart,	43	19	24	43	25	19	8	11			1		2		
Harrington,	33	Murdoch McLeod,	18	6	12	18	12	12									
Brackley,	33	Arch'd McNeill,	37	19	18	37	23	24	7	2							
Ch'town R'ty, East,		Henry M. McLeod,	45	26	19	45	15	15	3								
Ch'town R'ty, West,		Daniel McKinlay,	39	22	17	39	13	23	5	5							
Milton,	32	John McDonald,	24	15	9	24	5	5									
York River, South,	32	John Sharp,	37	22	15	37	23	28	5	9	9						
York River, North,	32	William Forbes,	53	23	30	53	27	18	6	5							
Bluefield,	31	Elizabeth Martin,	40	23	17	40	14	16	8	7							
New Wiltshire,	31	Robert H. Edwards,	35	18	17	35	25	23	23	23							4
Johnston's Road, E.	22	Angus McKenzie,	41	25	16	41	22	17		6							
Johnston's Road, W.	22	John McInnis,	53	32	21	53	33	22	20	19	16						
Springton, Ander- son Road, }	67	John Mathewson,	40	25	15	40	30	26	16	16							7
Rose Valley,	67	John McKay,	61	38	23	61	30	27	15	29							
South Wiltshire,	31	Charles Fowle,	41	21	20	41	13	6	4	5			1				
Emy Vale,	65	Robert Barry,	57	25	32	57	24	17									
Cornwall,	32	Malcolm Darrach,	60	31	29	60	27	16	13	9							
Dog River,	31	John Livingston,	33	16	17	33	25	15	2								
Elliot River,	32	Jedidiah Carvel,	33	19	14	33	13	12	5	33							
Brian's Cross,	31	Wm. Garvie,	66	43	23	66	30	15	15	15					1		
Bonshaw,	30	Allan Stewart,	52	31	21	52	34	13		13							8
DeSable,	29	John McLean,	46	33	13	46	21	21	4	4							
Crapaud, East,	29	Robert Ince,	50	26	24	50	27	20	3	6							
Crapaud, West,	29	William Todd,	38	24	14	38	26	24	3	3							
Upper Westmoreland,	29	William Reid,	56	38	18	56	20	18	8	9	8						
Treagh,	29	Joseph Ince,	84	45	39	84	4	2	1	2			1				
Melville,	29	Rebecca Reid,	47	22	25	47	11	17	2	8							
Argyle Shore,	30	Malcolm McKenzie,	41	21	20	41	28	16	10	11							
Argyle, Rear,	30	Archibald McKenzie,	42	28	14	42	9	3	3	1	1						
Canoe Cove,	65	Neil McKenzie,	46	32	14	46	18	9	5	5							
Nine Mile Creek,	65	Martin McDougall,	49	33	16	49	18	16	3	6							
Webster Creek,	65	Ewen Amos,	42	29	13	42	26	20	13	8	12		8				
Rustico Road,	32	John Campbell,	41	22	19	41	10	10									
Ebenezer,	24	Daniel Scott,	84	44	40	84	30	30	5	4							
Wheatley,	24																
Bungay,	24	John McDonald,	44	27	17	44	23	17	6	6	7						
New Glasgow,	23	Wm. Anderson,	63	36	27	63	32	28	15	23	28						
North Rustico,	24	John A. Stewart,	41	25	16	41	20	20	7	9							
Anglo Rustico,	24																
Cavendish,	23																
Hope River,	22	Elizabeth McGregor,	36	14	22	36	28	25	14	16							
St. Ann's,	22	Duncan McSwain,	42	22	20	42	20	14	9	10							

Vacant when visited.

Vacant when visited.
Vacant when visited.

APPENDIX.

SCHOOL.	TOWNSHIP.	TEACHER.	REGISTER.	BOYS.	GIRLS.	READING.	WRITING.	ARITHMETIC.	GRAMMAR.	GEOGRAPHY.	DICTATION.	ALGEBRA.	BOOK-KEEP'G.	GEOMETRY.	LATIN.	COMPOSITION.	AG'L CHEM.
Mill River,	22	Ephraim B. Smith,	40	25	15	40	10	10		20							
Campbeltown,	21	Allan McPhee,	40	23	17	40	20	20	8	8			1				
Harding's Creek,	20	Murdoch McLeod,	44	29	15	44	22	23	7	12							
Graham's Road,	20	Henry Lawson,	54	35	19	54	35	38	21	20	18						
Grenville,	21	Donald McKay,	40	25	15	40	12	10	5	4							
Long River,	20	James M. Pidgeon,	49	24	25	49	43	47	17	47	18		5				
Park Corner,	21	James D. Gordon,	53	35	18	53	40	18	18	19	18		2			6	
Irishtown,	20	John Forristal,	49	29	20	49	31	31	8	6							
Branders,	20	Samuel Barnard,	52	22	30	52	35	30	16	30	8						
Springfield,	67	John Sinclair,	43	23	20	43	28	23	19	20							
Hazel Grove,	22	John Beaton,	55	32	23	55	36	26	12	6							
St. Patrick's,	22	Elias Roberts,	34	12	22	34	3										
Greenvale,	23	Leland H. Stumbles,	73	46	32	73	43	30									
Springvale,	32	Wm. G. Carson,	87	44	43	87	33	26	3	7			1				
Winsloe Road,	33	Duncan Kennedy,	40	25	15	40	9	7	4	4							
Kent St., Ch'town,		Elizabeth McKinnon,	46		46	46	31	31	16	16	9						
King Square,		Lucretia Pringle,	54		54	54	34	23	13	13							
Pownal Street,		Mary Jemima Marks,	40		40	40	26	20	17	17							
Pownal District,		Cath. J. McDonald,	100		100	100	31	26	7	8							
Pownal District,		Edmund Roche,	183	183		183	71	53	36	49	6	4			4		
Rochford District,		James Currie,	60	60		60	29	23	6	14							
Hillsborough do.		Alexander McLean,	53	53		53	20	21	10	8							

FRENCH ACADIAN SCHOOLS.

QUEEN'S COUNTY.

		TEACHER.	REGISTER.	BOYS.	GIRLS.	READING.	ENGLISH READING.	WRITING.	ARITHMETIC.	GRAMMAR.	GEOGRAPHY.
Rustico Cross Roads,	24	Laurent Doucet,	56	32	24	56	10	14	12	4	
Grand Pere's Point,	24	Moses Doucet,	42	19	23	42	5	12	12		
St. Augustine,	24	Marin Blanchard,	59	46	13	59	22	19	15	5	5
Hunter River,	24	Henry Herrell,	51	14	37	51	13	18	40	12	
Mill Vale Road,	22	Felix Buote,	40	25	15	40	10	12	4		
Cavendish Road,	23	Peter Doirant,	49	22	27	49	8	12	8		
Gouchet's Creek,	24	Isidore Gallant,	48	35	13	43	13	12	10		

PRINCE COUNTY.

Tignish, Western R'd,	1	Hubert Perry,	44	31	13	44	17	7	4		
St. Felix,	2	Francis Buote,	39	23	16	39	7	12	11		
Little Tignish,	2	Thomas LeMarquand,	43	21	22	43	36	32	12		
Fortune Cove,	5	Antoine Perry,	41	19	22	41	1	6	2		
St. Chrysostom,	15	Andrew Arseneaux,	39	20	19	39	13	14	10	13	6
St. James,	15	Sylvain Arseneaux,	52	28	24	52	23	14	21	11	7
Fifteen Point,	15	Moses Wedge,	50	30	20	50	9	21	12	13	4
St. Nicholas,	15	Onesime Gaudet,	40	22	18	40	15	8	7		
Egmont Bay Road,	16	John O. Arseneaux,	40	23	17	40	9	4	14	5	1
Miscouche,	17	Philippe Gaudet,	48	23	25	48	13	15	9	15	

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NUMBER OF CHILDREN STUDYING THE VARIOUS BRANCHES.

	PRINCE COUNTY.	KING'S COUNTY.	QUEEN'S COUNTY.	FRENCH ACADIAN SCHOOLS.	TOTAL.
English Reading,	2,340	3,268	5,744	239	11,591
Writing,	1,162	1,494	2,735	254	5,645
Arithmetic,	889	1,111	2,181	175	4,356
Grammar,	353	537	945	64	1,899
Geography,	543	529	1,097	23	2,192
Dictation,	114	30	313		462
Algebra,	2	7	10		19
Geometry,		11	4		15
Book-keeping,	13	11	61		85
Composition,	23	14	22		59
Latin,	2	2	3		7
Agricultural Chemistry,	9	8	12		29

REMARKS ON THE VARIOUS BRANCHES.

READING.

There can be few better tests of the efficiency of a teacher than the style in which his children read. Many people imagine that teaching children to read is a very easy matter, but any one who has reflected on the subject, and considers the art of reading to be something more than merely being able to spell words and to pronounce them, knows that to teach young people to read with correctness and expression requires a vast deal of pains and attention. Every man is not gifted with the flexible voice and musical ear which make a finished elocutionist, but every teacher of intelligence and diligence will be able to train his pupils to read fluently and correctly, and with a true understanding of what they read.

In many of the schools no attention is given to just expression and correct emphasis in reading. In very many even punctuation is quite overlooked, and the children read from beginning to end in total disregard of the *stops*, and, consequently, in ignorance of the meaning which the words convey. The one great mistake common to most of the teachers is, that of pushing the children hurriedly through each book; giving them a new lesson, and that greatly too long a one, each day. They proceed on the principle, that the quantity read is the surest criterion of the pupil's progress; and a teacher will often point to his highest class, with great self-complacency and pride, as having read through the Fourth Book twice during six months. The consequence of this system is a most careless and slovenly style of reading. It is no uncommon circumstance to find a child, who has in this manner gone twice through a book, scarcely able to read a single sentence in it correctly, even mechanically, or without stumbling at the *big words*. The lessons also soon become familiar to the children; their attention is not quickened by the excitement of a new passage or subject, and the

reading lesson is thus totally useless as a means of exercising the intelligence of the children.

I have met with few of the teachers who give due attention to the instruction of the children in the subject matter of the lesson. Many of them examine their pupils with considerable exactness on the meaning of the words; but a knowledge of the meaning of the words which compose a sentence does not necessarily imply an intelligent understanding of the sentence. By examining them on the construction of the sentences, and the subject matter of the lesson, and encouraging them to express their own ideas concerning it in appropriate language, they would have a correct understanding of the meaning of each lesson before leaving it—their intelligence would be trained and sharpened, and a large amount of valuable information conveyed. Such an exercise would also give the children that familiarity with the resources of written language which would make the perusal of books in their leisure hours interesting and pleasing to them. For if a child has only been taught the mechanical art of reading, without comprehending the language of books, the art is not likely to be often used; he cannot be expected to take much pleasure in reading when he leaves school, and will probably soon lose the art altogether.

It gives me much pleasure to mention the following schools, the children of which, on examination, shewed more than ordinary proficiency in correct and intelligent reading:—Baltic, (18); Graham's Road; North St. Peter's; Priest Pond, (46); Lower Newtown; and Brudenell.

WRITING.

The same remark which I have made with regard to the teacher's method of training the children to read applies also to their system of teaching writing—they hurry them too rapidly forward. In many schools a regular system of judicious gradation, from simple strokes to words beginning with *capital letters*, is wanting; and the children, before having written many pages, are struggling to write small hand, before they know how to hold their pen properly, they are presumed to be able to write *current hand*.

Whenever the accommodation will admit of it, the teacher should have all his pupils writing at the same time; those that are too young to write on paper could be writing on slates, so as to leave him at liberty to give his whole attention to overlooking the copy-books, and superintending this important branch. This plan, I am happy to say, has been adopted, and is carried out in not a few of the schools, and its beneficial results are seen in the children's proficiency. Very superior specimens of penmanship, and of clean, well kept copy-books, were seen by me in the schools of the following districts:—Pownal, (central); Brudenell; North St. Peter's; Baltic, (18); St. Peter's Road, (34); and Covehead; and in the French Acadian school at Little Tignish.

WRITING FROM DICTATION.

This branch forms part of the weekly routine in some schools, but the end aimed at is defeated, in not a few instan-

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ces, by the carelessness of the teachers in not correcting the errors in the pupils' exercises. These exercises should also be written on slates, and if they are to be transcribed into copy-books, it should not be, until after careful correction by the teacher. No part of the school business will be more improving to the children than this, when properly conducted. There is scarcely any exercise which ought not to yield to this; any to which it does not add something, and which is not benefitted by it. It is the most efficacious means of teaching grammar and orthography, and exercising and stimulating the minds of the pupils. As soon as children can read fluently and write with some facility, they may begin to write a few words from dictation daily. As children cannot too early be trained to act for themselves, this exercise will give them a lesson in independent action. Every new word they write will be for them a discovery, a new acquisition. The intelligent teacher, during this exercise, will notice with pleasure the useful excitement produced in the class; and the tendency to vanity that may be created in the children's minds will be sufficiently repressed by the correction their work will require.

In the schools of Central Bedeque, Graham's Road, Fullarton's Marsh, and Park Corner, I found, in the course of examination, that writing from dictation was prosecuted with praiseworthy success.

ARITHMETIC.

The children of the Colony in general shew considerable aptness at figures, and the schools that have the benefit of an energetic teacher exhibit a fair proficiency in this department. In the course of inspection, I have invariably remarked that those children that are quickest and most intelligent at their general lessons, are also most expert in arithmetic.

The end of arithmetic is to exercise and strengthen the thinking powers, as well as to give expertness in the practical affairs of life. It is to be feared that the former of these objects is entirely overlooked by the majority of the teachers; the children are hurried on from rule to rule, without being made to comprehend in the smallest degree the principles on which the various rules are formed. When a class of boys is pointed out as working, for instance, in proportion, it is no guarantee that they have thoroughly mastered the preceding rules; too often do they blunder at the simplest sum in reduction.

Everything in arithmetic depends on the simple rules being thoroughly understood, and at the foundation of these lies numeration. I have been grieved to find this elementary branch of arithmetic so much neglected by the teachers, and that in very few schools are the children able to write down a sum correctly, when read to them in words, and this even, when they can work some of the higher rules with considerable facility.

Instead of allowing the children to work constantly from books, the teacher should form them into one class at least twice a week, and exercise them on the same rule; thus a

perfect acquaintance with all the rules would be maintained, and the healthy competition would stimulate them to readiness and accuracy.

The following schools merit special notice for their standard of attainment in this branch:—Georgetown; Pownal, Charlottetown (boys); Graham's Road; Park Corner; North St. Peter's; Springfield; and Kingsburgh.

GRAMMAR.

The statistics for the past year shew a most encouraging increase in the number of children who are taught grammar. This would argue that the claims of grammar, as a necessary and inherent element of instruction in the English language, are gradually becoming more recognized.

Many parents think that the time bestowed by their children on grammar is wasted, or at least that it could be much better spent on reading or arithmetic, the benefits of which they can more readily appreciate. This opinion is not altogether the result of an ignorant prejudice, it derives some foundation of truth from the method in which this branch is generally taught in the schools of the Colony. It is considered a separate and distinct study; the children's minds are loaded with dry rules and lengthy definitions hard to be understood. It is not therefore surprising that the pupils find grammar repulsive and uninteresting, or that the teacher finds it "the most difficult thing to teach."

In most of the schools, no attempt is made to shew the connection between rules of grammar and the construction of sentences in the ordinary reading lessons, or to apply them practically to the common language of the children. Grammar learned in this way, is of little more use to the pupils than if the rules were repeated in an unknown tongue; it is like teaching geography without maps. In the case of many of the teachers, their defective mode of teaching grammar is more the result of their having adopted an imperfect system at first, and adhering to it, than from want of ability to pursue a better. Their general conviction is, that it is utterly impossible to teach grammar without books, and the want of grammar books is the reason alleged by some teachers for the total neglect of this branch, or for its being *only learned* by a moiety of their pupils.

In the course of inspection, I have recommended that a knowledge of grammar should be imparted in a great measure orally, specially to the younger pupils. As soon as children can read with facility, they should be taught to distinguish the different parts of speech without referring to the rules of grammar, and they will be found to take great pleasure in picking out the nouns, adjectives, &c., from their reading lesson. This method would make the subject more interesting both to pupils and teacher, and would be laying a foundation of practical knowledge which would enable the children to learn the abstract rules more intelligently and thoroughly when a grammar book is put into their hands. The elder pupils should have their parsing exercises taken

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alternately from their grammar book and their reading book, and should be made to apply the rules in examples of their own construction, instead of repeating by rote those given in their book.

I may particularize the following schools for the superior efficiency with which this branch is taught, in most of them the plan I have above recommended is pursued:—Cross Roads, (48); Central Bedeque; Webster Creek; Georgetown; Graham's Road; Baltic (18); Pownal, Charlottetown, (boys); Brackley Point; North St. Peter's; Covehead; and Upper Westmoreland. In the five last mentioned special attention is devoted to the derivation of words, a subject which is of the greatest importance in studying the grammar of the English language.

GEOGRAPHY.

With very few exceptions, every school on the Island is furnished with one or more maps. These maps form an addition to the school apparatus not only most pleasing to the eye, but also most interesting to the children, and exercising a very beneficial influence on the business of education. The highest class in many schools exhibits a familiar acquaintance with all the great divisions and the most remarkable spots on the globe. The children's attainments in geography are in a great measure the result of the excellent geographical lessons in the fourth reading book, which it is so easy and natural for the teacher to connect with the special lessons on the map.

In the great majority of the schools, the younger children derive no benefit from the maps, while in many commendable instances a large junior class is formed, to which the outlines of geography are imparted in lessons on the maps, given orally. In every school such lessons ought to be given at least once or twice a week, and would be found most interesting even to the youngest child.

The next grant of maps supplied to the schools should include a map of the Island, so that the children may not be ignorant of their own country, while they are receiving information about remote parts of the world.

Among the schools in which geography seems to be intelligently taught, the following are worthy of being specially mentioned:—King Square, Charlottetown; Brander's; Fanning Grammar School; Fullarton's Marsh; Cross Roads, (48); Pownal, Charlottetown (boys); Dunstaffnage; and Upper Westmoreland.

I have now noticed all the branches which the schoolmasters are required to teach by law. In some schools book keeping, algebra and some other branches are taught, but the number studying them is so very small that I have not deemed it necessary to make any remarks on the method pursued in teaching them.

In selecting the schools for honorable mention, I have been actuated by the strictest justice and impartiality. From the peculiarity of their position, as absolute monarchs in a little

world where their will is always law, teachers are more liable than any other class of men to be wedded to their own opinions and practices, and to resent any attempt to alter or improve these. This fact and a variety of other circumstances render the duties of my appointment of no ordinary delicacy and difficulty. It was utterly impossible that the opinions I have expressed, and the criticisms I was conscientiously called upon to make, could always give satisfaction to those they concerned. It is highly creditable to the teachers, and very gratifying to me, that I am able to state that my remarks have been generally received in the same spirit in which they were given. In a very few instances, I have met with a great want of manly and upright feeling, and in some of these the teachers have not hesitated to write letters in the newspapers of the Colony, falsifying facts in the most glaring and unprincipled manner. Such letters I deemed quite unworthy of a reply, feeling assured that I had no cause to shrink from the conclusions of persons who were sufficiently interested in the matter to seek after the truth, and I am utterly indifferent to the opinions of such as would believe statements affecting a man's character, without testing their justness and authenticity.

It would have been most pleasing to me could I at this time have reported on the establishment and working of the Normal School for the training of teachers, for which the Legislature made provision during last session. But I am happy to state that the negotiations which have been entered into for the procuring of a master are now all but completed, and it is hoped that this valuable institution will be in operation during the ensuing summer.

There is also another of the educational improvements of last session which yet remains to be put into operation, namely, the Orphan School. After considerable trouble, a room has been procured, and it is expected that ere long Charlottetown will possess an institution where destitute orphan children can receive daily instruction. A school of this class, though not specially designed for orphans, has been in operation for several years in the Bog District of this City, and has been productive of immense good in that locality. Since its establishment in 1848 upwards of 400 children have received more or less instruction, according to the time they have been in attendance. I have been present at several examinations of this school, and the order and attention of the children, with their intelligence both in scriptural and secular knowledge, I have never seen equalled in the Colony; while the zeal and efficiency of the teacher cannot be too highly commended.

In conclusion, I most heartily congratulate the people of Prince Edward Island on the progress which education is making under the excellent working of the Free Education Act. The statistics that I have given exhibit a very gratifying increase both in the number of schools and of pupils in attendance; the number of children under tuition throughout the Island bears a proportion of nearly one to five in the whole population. A number of new schoolhouses have been

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erected, some of these in districts where no school formerly existed, while others have risen in the place of old and dilapidated buildings. These new schools shew a marked improvement both in exterior appearance and internal arrangement. The strifes and jealousies regarding school sites, and dissatisfaction with particular parts of the Act, which met me everywhere on my first tour through the Island, have almost entirely died away, and I now seldom hear a discontented voice. The very irregular attendance of the children, and the migratory habits of many of the teachers, are two great evils which still exist, and the remedy of which lies almost entirely in the hands of the parents. Greater exertion on their part to continue the children more regularly at school, and a more liberal attention to the schoolmaster's comfort and remuneration, would have the happy effect of attaching him to the district, and of securing to the children the benefits of more systematic instruction. The zeal and praiseworthy diligence of many of the teachers, and the decided progress they have

made in the management of their schools and method of teaching during the past two years, demand some recognition in the form of an increase of salary, and a proper gradation of salaries. It is manifestly unjust that the man whose heart and energies are devoted to his work, and who conscientiously strives to improve both himself and his pupils, should receive the same remuneration as one who goes through the duties of his school in an indolent and perfunctory manner, or that the boy of sixteen should be entitled to the same salary as the man of mature years, who has a family to support.

I have the honor to be,
Gentlemen,

Your most obedient servant,

JOHN M. STARK,

Inspector of Schools

Charlottetown, February 25th, 1856.

APPENDIX No. 8.

(See page 40.)

(Copy.)
No. 11. Downing Street,
18th February, 1856.

Sir ;

I have received your Despatch of the 24th ultimo, No. 7, forwarding an Address presented to you by your Executive Council, complaining of the delay which has occurred in signifying the Queen's decision upon certain Acts passed in the last session of the Legislature of Prince Edward Island.

You will explain to the Council that the delay which occurred in the case of the Bill to incorporate a Joint Stock Banking Company, was occasioned by the unavoidable necessity of consulting the Lords Commissioners of the Treasury, whose province it is to examine all Laws which are passed to establish Banking Companies in the Colonies. You will add, that I hope that the communication to you by my

Despatch of the 1st current, of the royal assent to this Bill, on the 30th ultimo, will have relieved the mercantile community of Prince Edward Island, of the anxiety they entertain upon this subject.

With respect to the other Acts referred to by the Executive Council, I have to state that no time shall be lost in signifying to you the Queen's decision upon them ; but you will observe to your Council that as these Acts have no suspending clauses, and are therefore in operation, the inconvenience occasioned by the delay, to which my attention has been directed, is not of the same serious importance as it is represented to have been in the case of the Bank Act.

I have, &c.

(Signed) LABOUCHERE.

A true copy.

M. B. DALY, Priv. Sec.

APPENDIX No. 9.

(See page 57.)

(Copy—No. 14.)

Downing-street,
4th March, 1856.

Sir;

I have received, and had under my consideration four Acts passed by the Legislature of Prince Edward Island in the month of April last, and transmitted to me in your despatch, of 8th October, 1855, No. 60.

These Acts having been referred, by the Queen in Council, to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty, in Council, their opinion, that the said Acts should be left to their operation; and I have the honor to transmit to you, herewith, an order of Her Majesty in Council, dated the 25th ultimo, approving that report.

I have the honor to be,
your obedient servant,

(Signed) M. LABOUCHERE.

Lieut. Governor Daly,
&c. &c. &c.

At the Court at Buckingham Palace,
the 25th day of February, 1856:

PRESENT:

The Queen's Most Excellent Majesty,
His Royal Highness Prince Albert,

Lord President,	Lord Panmure,
Duke of Argyle,	Sir George Grey, Bart.,
Duke of Wellington,	Mr. Vernon Smith,
Lord Chamberlain,	Mr. Baines.
Viscount Palmerston,	

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1855, pass four Acts, which have been transmitted, entitled as follows, viz:—

No. 940.—An Act for appropriating certain Moneys therein mentioned for the service of the year 1855.

No. 941.—An Act to incorporate the Town of Charlottetown.

No. 942.—An Act to repeal the Act empowering the Administrator of the Government in certain cases, to shut up such Roads, or parts of Roads, as are no longer required, and to make other provisions in lieu thereof.

No. 943.—An Act relating to the offices of Controller of the Customs and Navigation Laws for Charlottetown, and Collector of Excise and Registrar and his Assistant, and Surveyor of Shipping.

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

(Signed) W. L. BATHURST.

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