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# JOURNAL

OF THE

# LEGISLATIVE COUNCIL

OF

# PRINCE EDWARD ISLAND.

---

ANNO VICESIMO SEPTIMS VICTORIÆ.

---

BEING THE SECOND SESSION

OF THE

TWENTY-SECOND GENERAL ASSEMBLY.



CHARLOTTETOWN:

PRINTED AT "THE EXAMINER" OFFICE.

1864.

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# A PROCLAMATION

BY HIS EXCELLENCY

**GEORGE DUNDAS, 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.]

GEORGE DUNDAS, Lieut. Governor.

**W**HEREAS the General Assembly of this Island stands Prorogued until Thursday, the 28th day of May, instant:

I have thought fit, by and with the advice of Her Majesty's Executive Council, further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the Second day of July next, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my hand and the great Seal of this Island, at Charlottetown, in the said Island, this 26th day of May, and in the year of Our Lord One thousand eight hundred and sixty-three, and in the twenty-sixth year of Her Majesty's reign.

By Command,

**W. H. POPE, Colonial Secretary**

**GOD SAVE THE QUEEN.**



**A P R O C L A M A T I O N**  
**BY HIS EXCELLENCY**

**GEORGE DUNDAS, 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.]

**GEORGE DUNDAS, Lieut. Governor.**

**W**HEREAS the General Assembly of this Island stands Prorogued until Thursday, the 2nd day of July, instant:

I have thought fit, by and with the advice of Her Majesty's Executive Council, further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the sixth 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 in the said Island, this 1st day of July, in the year of Our Lord One thousand eight hundred and sixty-three, and in the twenty-sixth year of Her Majesty's reign.

By Command,  
**W. H. POPE, Colonial Secretary.**

**GOD SAVE THE QUEEN.**

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

**BY HIS EXCELLENCY**

**GEORGE DUNDAS, Esquire,**

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

[L. S.]

**GEORGE DUNDAS, Lieut. Governor.**

**W**HEREAS the General Assembly of this Island stands Prorogued until Thursday, the 6th day of August, instant:

I have thought fit, by and with the advice of Her Majesty's Executive Council, further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the Tenth day of September next, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my hand and the Great Seal of this Island, at Charlotteown, in the said Island, this 4th day of August, in the year of Our Lord One thousand eight hundred and sixty-three, and in the twenty-seventh year of Her Majesty's reign.

By Command,

**W. H. POPE, Colonial Secretary.**

**GOD SAVE THE QUEEN.**



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

BY HIS EXCELLENCY

GEORGE DUNDAS, ESQUIRE

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

[L. S.] GEORGE DUNDAS, Lieut. Governor. [R. S.]

**W**HEREAS the General Assembly of this Island stands Prorogued until Thursday, the Tenth day of September, instant:

I have thought fit, by and with the advice of Her Majesty's Executive Council, further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the eighth 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, in the said Island, this 2nd day of September, in the year of Our Lord One thousand eight hundred and sixty-three, and in the twenty-seventh year of Her Majesty's reign.

By Command,  
JOHN W. MORRISON,

Deputy Colonial Secretary.

GOD SAVE THE QUEEN.

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

BY HIS EXCELLENCY

GEORGE DUNDAS, ESQUIRE

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

[L. S.] GEORGE DUNDAS, Lieut. Governor. [R. S.]

**W**HEREAS the General Assembly of this Island stands Prorogued until Thursday, the Eighth day of October, instant:

I have thought fit, by and with the advice of Her Majesty's Executive Council, further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the Tenth 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, in the said Island, this Sixth day of October, in the year of Our Lord One thousand eight hundred and sixty-three, and in the twenty-seventh year of Her Majesty's reign.

By Command,  
JOHN W. MORRISON,

Deputy Colonial Secretary.

GOD SAVE THE QUEEN.



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

BY HIS EXCELLENCY  
GEORGE DUNDAS, ESQUIRE,

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

[L. S.]

GEORGE DUNDAS, Lieut. Governor.

**W**HEREAS the General Assembly of this Island stands Prorogued until Thursday, the Tenth day of November, instant :

I have thought fit, by and with the advice of Her Majesty's Executive Council, further to prorogue the said General Assembly, and the same is hereby prorogued until Tuesday, the Fifteenth day of December next, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my hand and the Great Seal of this Island, at Charlottetown, in the said Island, this Seventh day of November, in the year of Our Lord One thousand eight hundred and sixty-three, and in the twenty-seventh year of Her Majesty's reign.

By Command,

JOHN W. MORRISON,

Deputy Colonial Secretary.

GOD SAVE THE QUEEN.

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

BY HIS EXCELLENCY  
GEORGE DUNDAS, ESQUIRE,

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

[L. S.]

GEORGE DUNDAS, Lieut. Governor.

**W**HEREAS the General Assembly of this Island stands Prorogued until Tuesday, the Fifteenth day of December, instant :

I have thought fit, by and with the advice of Her Majesty's Executive Council, further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the Fourteenth day of January 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, in the said Island, this Ninth day of December, in the year of Our Lord One thousand eight hundred and sixty-three, and in the twenty-seventh year of Her Majesty's reign.

By Command,

JOHN W. MORRISON,

Deputy Colonial Secretary.

GOD SAVE THE QUEEN.





# A PROCLAMATION

BY HIS EXCELLENCY

GEORGE DUNDAS, 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.]

GEORGE DUNDAS, Lieut. Governor.

**W**HEREAS the General Assembly of this Island stands Prorogued until Thursday, the Fourteenth day of January, instant :

I have thought fit, by and with the advice of Her Majesty's Executive Council, further to prorogue the said General Assembly, and the same is hereby prorogued until Monday, the Fifteenth day of February 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, in the said Island, this Thirteenth day of January, in the year of Our Lord One thousand eight hundred and sixty-four, and in the twenty-seventh year of Her Majesty's reign.

By Command,

JOHN W. MORRISON,

Deputy Colonial Secretary.

GOD SAVE THE QUEEN.

# A PROCLAMATION

BY HIS EXCELLENCY

GEORGE DUNDAS, 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.]

GEORGE DUNDAS, Lieut. Governor.

**W**HEREAS the General Assembly of this Island stands Prorogued until Monday, the Fifteenth day of February, instant :

I have thought fit, by and with the advice of Her Majesty's Executive Council, further to prorogue the said General Assembly, and the same is hereby prorogued until Wednesday, the Sixteenth day of March next, then to meet for the DISPATCH OF BUSINESS, of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my hand and the Great Seal of this Island, at Charlottetown, in the said Island, this Ninth day of February, in the year of Our Lord One thousand eight hundred and sixty-four, and in the twenty-seventh year of Her Majesty's reign.

By Command,

JOHN W. MORRISON,

Deputy Colonial Secretary.

GOD SAVE THE QUEEN.



# JOURNAL

OF THE

## LEGISLATIVE COUNCIL

OF

### PRINCE EDWARD ISLAND.

SECOND SESSION OF THE TWENTY-SECOND GENERAL ASSEMBLY.

WEDNESDAY, the Sixteenth day of March, in the Twenty-seventh year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, being the Second Session of the General Assembly of Prince Edward Island, as continued by several Prorogations to this day. The members in attendance in the Colonial Building were :

The Hon. Mr. <i>Montgomery</i> , President.	
The Hon. Mr. <i>Anderson</i> ,	The Hon. Mr. <i>McLaren</i> ,
Mr. <i>Beer</i> ,	Mr. <i>Palmer</i> ,
Mr. <i>Dingwell</i> ,	Mr. <i>Ramsay</i> ,
Mr. <i>Goff</i> ,	Mr. <i>Walker</i> ,
Mr. <i>Henderson</i> ,	Mr. <i>Yeo</i> .
Mr. <i>Lord</i> ,	

His Excellency GEORGE DUNDAS, 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., having come to the Council Chamber, and being seated, the Hon. the President of the Legislative Council commanded the Gentleman Usher of the Black Rod to let the Assembly know, "It is His Excellency's pleasure they attend him immediately in this House."

Who being come, with their Speaker,

His Excellency the Lieutenant Governor 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 ;*

Your Address of Congratulation to your Sovereign on the Marriage of His Royal Highness the Prince of Wales has been laid before the Queen, and Her Majesty was much gratified by the expressions which it contained of loyalty and attachment to her throne and person.

You, I am confident, warmly participate in the joy to which the birth of a Prince has given rise throughout Her Majesty's dominions.

I am desired by the Secretary of State for the Colonies to inform you that Her Majesty has not been able to comply with the prayer conveyed in the Address which you adopted during last Session, on the subject of the Report of the Commissioners appointed to enquire into the differences between landlords and their tenants.

It is the wish of the Secretary of State that, in communicating this decision to you, I should invite your attention to suggestions made by his Grace, in a despatch which will be laid before you.

His Grace, in this despatch, proposed that the local Government should be authorized to issue, annually, a certain amount of debentures, and to apply these debentures in assisting to buy up the landlords' rights, with their consent.

His Grace further proposed that sales should not be compulsory on the landlords, but that a fixed rate of commutation should be indicated, by authority, as the Government price. That this assessed rate of purchase, viewed as receiving a certain moral support from Government, should regulate the amount of assistance to be given in each case from public funds.

As the terms of commutation proposed by his Grace were in some respects less favourable to the tenantry than those which had already been offered by the proprietors, and as it seemed likely that little practical good would result from their adoption, in consequence of his Grace stating that they would not be compulsory on the landlords, it was deemed expedient that Delegates should be sent to England to ascertain the views of Her Majesty's Government, and to facilitate a settlement of the question.

The Report of the Delegates will be laid before you.

After mature consideration of this Report and of the whole question of a settlement. I trust your best efforts will be directed to maturing such measures as may not only conduce to the amelioration of the condition of the tenantry, but also receive the sanction of the Imperial Government, and the concurrence of the proprietors.

The Administrator of the Government of Nova Scotia has addressed communications to me on the subject of a proposed Union of the Provinces of Nova Scotia, New Brunswick, and Prince Edward Island, under one Government and Legislature.

I have directed that these communications be laid before you.

A Bill to prevent the fraudulent marking of merchandize will be proposed to you. You will also be asked to take under your consideration a suggestion made by the Secretary of State for the Colonies respecting the establishment of a Maritime Court of Enquiry into the causes of wrecks.

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

The Estimates for the current year will be laid before you. They have been framed with due regard to economy.

The Accounts for the past year will also be submitted to you. I observe, with great satisfaction, that the Revenue of the past year far exceeds that of any previous year, and leaves a large surplus over the expenditure.

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

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

I rejoice to be able to congratulate you on the general prosperity of this Colony during the past year.

The labours of our agricultural population were blessed with an abundant harvest.

An unprecedented demand increased materially the value of our staple produce; and the quantity which left our shores exceeded the export of any previous year.

I now commit to you the business of the Session; may your deliberations conduce to the honor and welfare of this Island.

The House of Assembly having withdrawn, His Excellency was pleased to retire.

## **PRAYERS.**

Mr. President reported His Excellency's Speech, and the same was then read by the Clerk.

*John Wm. Morrison, Esq.*, Deputy Colonial Secretary, appeared at the Bar with the Writ of Election for the Second Electoral District of King's County, and the same was delivered to the President of this House.

The said Writ of Election, and the Return of the High Sheriff of King's County thereon written, having been read by the Clerk:

The Hon. the President acquainted their Honors that the Hon. *Andrew A. Macdonald*, the member elect for the said Second Electoral District, was without, ready to be introduced,

When the Hon. *Andrew A. Macdonald* was introduced between the Hon. Mr. *Dingwell* and the Hon. Mr. *Lord*.

Then the Hon. Mr. *Macdonald* came to the Table, and took the Oath prescribed by law, which was administered by the Clerk of this House.

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

*Ordered*, That the Hon. Mr. *Goff*, the Hon. Mr. *Anderson*, and the Hon. Mr. *Henderson* do compose the said Committee.

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

*Ordered*, That the Hon. Mr. *Palmer* and the Hon. Mr. *Walker* do compose the said Committee.

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

*Ordered*, That the Hon. Mr. *Lord*, the Hon. Mr. *Beer*, and the Hon. Mr. *Goff* do compose the said Committee.

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

*Ordered*, That the Hon. Mr. *Beer* and the Hon. Mr. *McDonald* do compose the said Committee.

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

*Ordered*, That the Hon. Mr. *Palmer*, the Hon. Mr. *Dingwell*, and the Hon. Mr. *Ramsay* do compose the said Committee.

*Resolved*, That a Committee be appointed to receive Tenders for printing the Journal of this House for the present Session.

*Ordered*, That the Hon. Mr. *Beer* and the Hon. Mr. *Henderson* do compose the said Committee.

*Resolved*, That a Committee be appointed to make arrangements for the publication of the Proceedings and Debates of this House, for the present Session.

*Ordered*, That the Hon. Mr. *Henderson* and the Hon. Mr. *Macdonald* do compose the said Committee.

*Resolved*, That Mr. *James Ramsay* be appointed Reporter to this House for the present Session.

*Ordered*, That the Hon. Mr. *Lord* have leave of absence until Friday next.

The Council then adjourned until to-morrow at Twelve o'clock.

*Thursday, March 17, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,  
Mr. *Beer*,  
Mr. *Dingwell*,  
Mr. *Goff*,

The Hon. Mr. *Henderson*,  
Mr. *McLaren*,  
Mr. *McDonald*,  
Mr. *Ramsay*.

**PRAYERS.**

There being no business before the House, the Council adjourned until to-morrow, at 11 o'clock.

*Friday, March 18, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,  
Mr. *Beer*,  
Mr. *Dingwell*,  
Mr. *Goff*,  
Mr. *Henderson*,

The Hon. Mr. *Lord*,  
Mr. *McLaren*,  
Mr. *McDonald*,  
Mr. *Palmer*,  
Mr. *Ramsay*.

**PRAYERS.**

*Resolved*, That the postage on all letters and printed papers, both foreign and inland, to members of this House, and the postage on the same, when inland only, from members of this House, shall be charged to the contingent Accounts of the House.

The Hon. Mr. *Goff*, from the Select Committee appointed to prepare the draft of an Address in answer to His Excellency's Speech at the opening of the present Session, reported a draught thereof.

And the same being read by the Clerk,

*Ordered*, That the said Draught Address be taken into consideration to-morrow.

*Ordered* That the Hon. Mr. Yeo have leave of absence until Monday next.

Then the Council adjourned until Eleven o'clock to-morrow.

*Saturday, March 19, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *McLaren*,

Mr. *Beer*,

Mr. *McDonald*,

Mr. *Dingwell*,

Mr. *Palmer*,

Mr. *Goff*,

Mr. *Ramsay*,

Mr. *Henderson*,

Mr. *Walker*.

PRAYERS.

The Order of the Day, for the consideration of the Draught Address in answer to the Speech of His Excellency the Lieutenant Governor at the opening of the present Session, being read,

It was, on motion,

*Resolved*, That this House do now resolve itself into a Committee of the whole, to take the said Draught Address into consideration.

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Address.

After some time, the House was resumed, and

The Hon. Mr. *Goff*, from the said Committee, reported that they had taken the said Address into consideration, made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again on Monday next.

*Ordered*, That the Hon. Mr. *McLaren* have leave of absence until Thursday next.

The Council then adjourned until Monday next at Eleven o'clock.

*Monday, March 21, 1864.*

PRESENT :

The Hon. Mr. <i>Montgomery</i> , President.	
The Hon. Mr. <i>Anderson</i> ,	The Hon. Mr. <i>McDonald</i> ,
Mr. <i>Beer</i> ,	Mr. <i>Palmer</i> ,
Mr. <i>Dingwell</i> ,	Mr. <i>Ramsay</i> ,
Mr. <i>Goff</i> ,	Mr. <i>Walker</i> .
Mr. <i>Henderson</i> ,	

### PRAYERS.

The Hon. Mr. *Beer*, from the Select Committee appointed to receive Tenders for printing and binding the Journals of this House, for the present Session, presented the report of the said Committee.

And the same was read by the Clerk as followeth :—

LEGISLATIVE COUNCIL CHAMBER,  
March 21, 1864.

The Committee appointed to receive Tenders for printing the Journals of this House beg to report, that they have received four Tenders, one each from Frederick W. Hughes, Edward Reilly, George T. Haszard, and Henry Cooper, as follows :—

F. W. Hughes, Twenty-five shillings, per sheet of eight pages. Binding, three shillings and three pence per volume.

Edward Reilly, Twenty-eight shillings per sheet. Binding, two shillings and nine pence per volume.

Henry Cooper, Thirty-seven shillings and nine pence per sheet. Binding two shillings and three pence per volume.

George T. Haszard, Forty-five shillings per sheet. Binding, three shillings per volume.

All which is respectfully submitted.

GEORGE BEER,  
K. HENDERSON.

*Resolved*, That this House do now resolve itself into a Committee of the whole, to take the said Report into consideration.

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Report.

After some time, the House was resumed, and

The Hon. Mr. *Beer*, from the said Committee, reported that they had taken the said Report into consideration, and had come to a Resolution, which he was directed to submit to the House whenever it should be pleased to receive the same.

*Ordered*, That the Report be now received.

The said Resolution was then read by the Clerk ; and the question of concurrence being put thereon, it was agreed to by the House, and is as followeth :

*Resolved*, That the tender of Mr. Frederick W. Hughes, for printing and binding the Journals of this House for the present Session, be accepted.



Pursuant to the Order of the Day, the House was adjourned during pleasure, and put into a Committee of the whole on the further consideration of the Draught Address in reply to the Speech of His Excellency the Lieutenant Governor at the opening of the present Session.

After some time, the House was resumed, and

The Hon. Mr. *Goff*, from the said Committee, reported that they had made further progress in the business to them referred, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again at the next sitting of this House.

A Message was brought from the House of Assembly by the Hon. *John Longworth* and others in the following words :

HOUSE OF ASSEMBLY,

Wednesday, March 16, 1864.

*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. *John Longworth*, the Hon. *Daniel Davies*, Mr. *Brecken*, Mr. *Duncan*, the Hon. *Joseph Hensley*, and the Hon. *James Warburton* do compose the said Committee.

*Ordered*, That the said Resolution be communicated by Message to the Legislative Council.  
JOHN McNEILL, C. H. A.

And then they withdrew.

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

*Ordered*, That the Hon. Mr. *Goff*, the Hon. Mr. *Henderson*, and the Hon. Mr. *McDonald* do compose the said Committee.

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

The House then adjourned.

At four o'clock in the afternoon the House met.

The House was then adjourned during pleasure, and put into a Committee of the whole on the further consideration of the Draught Address in answer to the Speech of His Excellency the Lieutenant Governor at the opening of the present Session.

After some time, the House was resumed, and

The Hon. Mr. *Goff*, from the said Committee, reported that they had gone through the said Address, paragraph by paragraph, and had adopted the same without any amendment.

And the said Address being again read by the Clerk ;

The Hon. Mr. *McDonald* moved, seconded by the Hon. Mr. *Lord*,

To amend the said Address by striking out from the word "landlords" to the word "question," in the fourth paragraph of the said Address, and

substituting the following: "We regret that we cannot concur in the course taken by your Excellency in sending a delegation to the Colonial Office, without first consulting with the Legislature, and submitting thereto the Despatch of the Duke of Newcastle with his propositions for settling the differences between landlord and tenant."

The question of concurrence was put thereon, the House divided, and the names being called for, they were taken down as follow:—

CONTENTS:

Hon. Mr. *McDonald*,  
Mr. *Walker*,  
Mr. *Dingwell*,  
Mr. *Lord*,—4.

NON-CONTENTS:

Hon. Mr. *Palmer*,  
Mr. *Anderson*,  
Mr. *Ramsay*,  
Mr. *Goff*,  
Mr. *Beer*,  
Mr. *Henderson*,—6.

So it was resolved in the negative.

The said Address was then agreed to, and is as followeth:—

*To His Excellency George Dundas, 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. &o. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, the members of the Legislative Council, in General Assembly convened, tender to your Excellency our thanks for the Speech with which you have opened the present Session of the Legislature.

In common with Her Majesty's subjects in all other parts of Her Dominions, we cordially participate in the joy which has been occasioned by the birth of a Prince.

It would have been gratifying to us to have learned that Her Majesty had complied with the prayer conveyed in the Address adopted by both branches of the Legislature last Session on the subject of the Report of the Commissioners appointed to enquire into the differences between Landlords and Tenants; but your Excellency informs us that Her Majesty has not been able to do so.

When your Excellency will be pleased to lay before us the Despatch you have received from the Secretary of State containing suggestions offered for the settlement of the differences existing between certain Landlords and their Tenants, we will give them our careful consideration, although it is not without regret we learn that the terms of commutation proposed by His Grace appear in some respects less favorable to the Tenantry than those which had already been offered by the Proprietors. It being considered that little practical good would result from the adoption of those terms, in consequence of its not being intended by His Grace to render them compulsory on the Landlords, we concur in the course taken by your Excellency in sending Delegates to England to ascertain the views of the Imperial Government, and to facilitate a settlement of the question.

After taking into our consideration His Grace's Despatch, together with the Report of the Delegates, our earnest endeavours will be applied to the maturing of such measures as we conceive best calculated to ameliorate the condition of the Tenantry, and at the same time to receive the sanction of the Imperial Government and the concurrence of the Proprietors.

The communications which your Excellency has received from the Administrator of the Government of Nova Scotia on the subject of a proposed Union of that Province with New Brunswick and this Island, when laid before us, shall receive our serious consideration.

We will be prepared to take into our consideration, when laid before us, the Bill to prevent the fraudulent marking of merchandize, as well as the suggestion of the Colonial Minister respecting the establishment of a Maritime Court of Enquiry into the cause of wrecks, and to give our concurrence to such legislation as may be deemed necessary on these subjects.

We receive with much satisfaction your Excellency's congratulations on the general prosperity of the Colony, and on the abundant Harvest with which the labors of our agricultural population have been blessed during the past year.

It is most gratifying to perceive that the value of our staple produce has been so materially increased by an unprecedented demand for it, and that the quantity which left our shores has exceeded the export of any previous year.

*Ordered,* That the said Address be engrossed, and that the same be signed by the President of this House.

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

*Ordered,* That the Select Committee who prepared the Draught Address be a Committee to wait upon His Excellency the Lieutenant Governor, to know what time His Excellency will be pleased to appoint to be attended with the said Address.

Then the Council adjourned until to-morrow, at eleven o'clock.

*Tuesday, March 22, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *Lord*,

Mr. *Beer*,

Mr. *McDonald*,

Mr. *Dingwell*,

Mr. *Palmer*,

Mr. *Goff*,

Mr. *Ramsay*,

Mr. *Henderson*,

Mr. *Walker*.

PRAYERS.

The Hon. Mr. *Goff*, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, to know what time His Excellency would be pleased to appoint to be attended with the Address of this House in answer to His Excellency's Speech at the opening of the present Session, reported that they had, according to order, waited upon His Excellency, and that His Excellency had appointed this day at a quarter to four o'clock, in the afternoon, for that purpose.

The House then adjourned.

At half-past three o'clock, in the afternoon, the House met.

The House was adjourned during pleasure.

After some time, the House was resumed ; and

The Hon. the *President* reported that the House did this day wait upon His Excellency the Lieutenant Governor with the Address in answer to His Excellency's Speech from the Throne, to which His Excellency was pleased to make the following answer :

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

I thank you for your Address.

It is my study to promote the welfare of this Island. You may rely on my cordial co-operation in your endeavors to advance the public interests.

The Hon. Mr. *Henderson*, from the Select Committee appointed to receive Tenders for publishing the Debates and Proceedings of this House, for the present Session, presented their Report.

Which was read by the Clerk as follows :

LEGISLATIVE COUNCIL CHAMBER,

March 22, 1864.

Your Committee, appointed to receive Tenders for the publication of the Debates and Proceedings of this House, for the present Session, in the usual form of "The Parliamentary Reporter," have to state that they have received the following Tenders :—

1. From F. W. Hughes, at 17s. 6d. per sheet of four pages, or to perform the same work and publish in *The Examiner* newspaper, for the sum of £22 5s., and 9d. per copy for binding.
2. From George T. Haszard, at 22s. per sheet of four pages, and 9d. per copy for binding.
3. From Edward Reilly, at 12s. 6d. per sheet of four pages, and for binding 1s. 9d. per copy.
4. From Henry Cooper, for the sum of £12 15s., and to publish the same in *The Monitor* Newspaper.

And we find the Tender of Mr. Henry Cooper to be the lowest, and recommend the same to be accepted.

K. HENDERSON,

ANDREW A. MACDONALD.

*Ordered*, That the said Report be adopted.

The Hon. Mr. *Beer* presented to the House the Fourteenth Annual Report of the Medical Superintendent of the Lunatic Asylum.

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

[*Vote Appendix, No. 1.*]

The Council then adjourned until to-morrow at Twelve o'clock.

*Wednesday, March 23, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *Palmer*,

Mr. *Beer*,

Mr. *Ramsay*,

Mr. *Dingwell*,

Mr. *Walker*.

Mr. *Henderson*.

**PRAYERS.**

The Hon. Mr. *Palmer* acquainted the House that he had a Message from His Excellency the Lieutenant Governor, under his sign manual, which His Excellency had commanded him to deliver to this House; and

The same was then read by the Clerk as follows :

GEORGE DUNDAS, Lieut. Governor.

The Lieut. Governor transmits, for the information of the Legislative Council, copies of the following Despatches :

No. 16, 13th May, 1863; No. 17, 13th May, 1863, and 15th January, 1864,—from Secretary of State to Lieut. Governor.

No. 24, 11th July, 1863,—from Secretary of State to Lieut. Governor.

Sept. 2, 1863.—Lieut. Governor to Secretary of State.  
 No. 5, 5th February, 1864.—Secretary of State to Lieut. Governor.  
 No. 44, 12th December, 1863, and No. 45, 12th Dec., 1863,—Secretary of State to Lieut. Governor.

*Extract*, No. 47, 13th May, 1863,—Lieut. Governor to Secretary of State.  
 No. 32, 15th Sept., 1863.—Secretary of State to Lieut. Governor.  
 No. 33, 26th Sept., 1863.—Secretary of State to Lieut. Governor.  
 No. 35, 28th Oct., 1863.—Secretary of State to Lieut. Governor.  
 No. 101, 7th Dec., 1863.—Lieut. Governor to Secretary of State.  
 No. 2, 14th January, 1864.—Secretary of State to Lieut. Governor.  
 No. 41, 27th November, 1863.—Secretary of State to Lieut. Governor.  
 No. 8, 30th January, 1864.—Lieut. Governor to Secretary of State.  
 No. 46, 12th December, 1863.—Secretary of State to Lieut. Governor.  
*Circular*, 24th August, 1863; *Circular*, 23d Sept., 1863; and *Circular*, 14th Jan. 1864,  
 —Secretary of State to Lieut. Governor.  
 No. 24, 12th March, 1864.—Lieut. Governor to Secretary of State.

*Circular*, 6th April, 1863; *Circular*, 14th April, 1863; and *Circular*, 6th July, 1863,—  
 Secretary of State to Lieut. Governor.  
 8th February, 1864.—Major Gen. Doyle to Lieut. Governor.  
 17th February, 1864.—Lieut. Governor to Major Gen. Doyle.  
 29th February, 1864.—Major Gen. Doyle to Lieut. Governor.  
 11th March, 1864.—Lieut. Governor to Major Gen. Doyle.  
 Government House, 22d March, 1864.

**(Vide Appendix, No. 2.)**

The Hon. Mr. Palmer, by command of His Excellency the Lieutenant Governor, laid before the House,—

1. Copy of the Blue Book for the year 1862.
2. The Semi-Annual Returns of the Bank of Prince Edward Island for the year 1863-4.

Ordered, That the said Documents, &c., do lie on the table.

**(Vide Appendix, No. 3.)**

A Message was brought from the House of Assembly, by the Hon. J. H. Gray and others, in the words following:—

HOUSE OF ASSEMBLY,  
 Tuesday, March 22, 1864.

*Resolved*, That a Committee of six members of this House be appointed, to join a Committee of the Honorable the Legislative Council, to prepare Joint Addresses of Congratulation to Her Majesty the Queen and His Royal Highness the Prince of Wales, on the happy occasion of Her Royal Highness the Princess of Wales being safely delivered of a Prince.

Ordered, That the Hon. J. H. Gray, the Hon. G. Coles, the Hon. J. Longworth, the Hon. J. Hensley, Mr. McLennan, and Mr. Sinclair, do compose the said Committee.

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

JOHN McNEILL, C. H. A.

And then they withdrew.

*Resolved*, That a Committee be appointed, to join a Committee of the House of Assembly, to prepare the said Addresses to Her Majesty and His Royal Highness the Prince of Wales.

Ordered, That the Hon. Mr. Palmer, the Hon. Mr. Beer, and the Hon. Mr. Lord, do compose the said Committee.

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

A Message was also brought from the House of Assembly, by the Hon. *J. H. Gray*, with a Bill intituled "An Act relating to the Office of Commander-in-Chief," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

Then, on motion of the Hon. Mr. *Walker*, seconded by the Hon. Mr. *Palmer*,

The House adjourned until Monday next, at Eleven o'clock in the forenoon.

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*Monday, March 28, 1864.*

PRESENT :

The Hon. Mr. <i>Montgomery</i> , President.	
The Hon. Mr. <i>Anderson</i> ,	The Hon. Mr. <i>Lord</i> ,
Mr. <i>Beer</i> ,	Mr. <i>McLaren</i> ,
Mr. <i>Henderson</i> ,	Mr. <i>Ramsay</i> .

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act relating to the Office of Commander-in-Chief" was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Beer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

A Message was brought from the House of Assembly, by the Hon. *J. H. Gray*, with a Bill intituled "An Act relating to the fraudulent marking of Merchandize," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The Council then adjourned until to-morrow at Eleven o'clock.

*Tuesday, March 29, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *Palmer*,

Mr. *Beer*,

Mr. *Ramsay*,

Mr. *Goff*,

Mr. *Walker*,

Mr. *Henderson*,

Mr. *Yeo*.

Mr. *McLaren*,

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act relating to the Office of Commander-in-Chief" was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly and acquaint that House that the Legislative Council have passed this Bill without any amendment.

Pursuant to the Order of the Day, the Bill intituled "An Act relating to the fraudulent marking of Merchandize" was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had taken the said Bill into consideration, had made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again presently.

A Message was brought from the House of Assembly, by Mr. *Brecken*, with a Bill intituled "An Act to amend the Law relating to Bills of Exchange and Promissory Notes," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act relating to the fraudulent marking of Merchandize."

After some time, the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had made further progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

The House then adjourned.

At five o'clock in the afternoon the House met.

A Message was brought from the House of Assembly, by the Hon. Mr. *Hensley*, with a Bill intituled "An Act to repeal the Acts now in force establishing and regulating the rate of Interest, and to make some provisions on the same subject," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The Hon. Mr. *Palmer*, by command of His Excellency the Lieutenant Governor, laid before the House—

The Accounts of the Colonial Treasurer for the year ending 31st January, 1864.

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

Then the Council adjourned until to-morrow at eleven o'clock.

*Wednesday, March 30, 1864.*

PRESENT :

The Hon. Mr. <i>Montgomery</i> , President.	The Hon. Mr. <i>McLaren</i> ,
The Hon. Mr. <i>Anderson</i> ,	Mr. <i>McDonald</i> ,
Mr. <i>Beer</i> ,	Mr. <i>Palmer</i> ,
Mr. <i>Goff</i> ,	Mr. <i>Walker</i> ,
Mr. <i>Henderson</i> ,	Mr. <i>Yeo</i> .
Mr. <i>Lord</i> ,	

**PRAVERS.**

The Hon. the President informed the House that he had received a communication from Lieutenant General Knollys, intimating that he had laid the Joint Address of the Legislative Council and House of Assembly, of last Session, congratulating His Royal Highness the Prince of Wales upon the happy nuptials of His Royal Highness the Prince of Wales with the Princess Alexandra of Denmark, before His Royal Highness.

The same was then read by the Clerk, as follows :

MARLBOROUGH HOUSE,  
May 30, 1863.

Lieut. General Knollys has had the honor of laying the Address from the Legislative Council and House of Assembly of Prince Edward Island before the Prince of Wales, who thanks them cordially for their welcome congratulations upon his marriage, and for the affectionate terms in which they express the hope that the union may be productive of much happiness to His Royal Highness and the Princess of Wales, as well as of comfort to Her Majesty the Queen. The Prince of Wales is likewise highly gratified by the agreeable recollection retained of his visit to Prince Edward Island in 1861.



Pursuant to the Order of the Day, the Bill intituled: "An Act to amend the Law relating to Bills of Exchange and Promissory Notes" was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and The Hon. Mr. Beer, from the said Committee, reported that they had gone through the Bill and had directed him to report the same to the House, without any amendment.

Ordered, That the said Bill be read a third time to-morrow. The following Petition was brought up and laid on the table.

By the Hon. Mr. Yeo,—Of William Bearsto and divers other inhabitants of Prince County, praying that a Law may be passed to prevent the destruction of game, for exportation.

The House then adjourned. At a quarter past four o'clock in the afternoon, the House met.

Pursuant to the Order of the Day, the House was adjourned during pleasure, and put into a Committee of the whole on the Bill intituled: "An Act relating to the fraudulent marking of Merchandize."

After some time, the House was resumed, and The Hon. Mr. Walker, from the said Committee, reported that they had gone through the said Bill, and had directed him to report the same to the House with several amendments, which he was ready to submit whenever the House would be pleased to receive them.

Ordered, That the Report be now received. The said amendments were then read by the Clerk, as follow.  
 Folio 35, line 8—Leave out all the Section from "In" to "Vendee," fol. 37, line 2, inclusive.  
 Folio 38, line 1—Leave out all the words from "article" to "the," in line 4.

The said amendments being read a second time, they were severally agreed to.

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

The Hon. Mr. Palmer acquainted the House that he had a Message from His Excellency the Lieutenant Governor, under his sign manual, which His Excellency had commanded him to deliver to this House; and

The same was then read by the Clerk, as follows:  
 GEORGE DUNDAS, Lieut. Governor.

The Lieutenant Governor transmits, for the information of the Legislative Council, Report on the Volunteer Brigade for the year 1863. — Of the Hon. Mr. Yeo, Government House, 30th March, 1864.

(Vide Appendix, No. 4.)

A Message was brought from the House of Assembly, by the Hon. J. Longworth, with a Bill intituled "An Act for the establishment of a Bank for Savings in Prince Edward Island," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to repeal the Acts now in force establishing and regulating the rate of Interest, and to make some provision on the same subject," was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had taken the said Bill into consideration, had made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

*Ordered*, That the Hon. Mr. *Lord* have leave of absence until Friday next.

Then the Council adjourned until to-morrow at Eleven o'clock.

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*Thursday, March 31, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *McDonald*,

Mr. *Beer*,

Mr. *Palmer*,

Mr. *Dingwell*,

Mr. *Ramsay*,

Mr. *Goff*,

Mr. *Walker*,

Mr. *Henderson*,

Mr. *Yeo*.

Mr. *McLaren*,

**PRAVERS.**

The following Petitions were severally brought up, read, and laid on the table :—

By the Hon. Mr. *Goff*, — Of John Cornish and other inhabitants of Township No. 62, praying that the existing Licence Law may be so amended as to require all applicants for Tavern Licences, or for the renewal

of such licences, to obtain the consent thereto of a majority of the inhabitants of the School Districts in which such taverns are to be established, and that no Store Licences be granted authorising the sale of spirituous or malt liquors, wine, or cider in less quantities than one quart.

By the Hon. Mr. *Henderson*,—Of Edmund Ford and other inhabitants of Wheatley River and vicinity, praying for an amendment of the existing Licence Law.

By the Hon. Mr. *Ramsay*,—Of Joseph Green, sen., and other inhabitants of Prince County; and of Peter McNutt, and other inhabitants of the said County, praying that a Law may be passed to prevent the destruction of Game for the purpose of exportation from this Island.

Pursuant to the Order of the Day, the Bill intituled “An Act relating to the fraudulent marking of Merchandize,” as amended, was read a third time.

The question was put, whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly and acquaint that House that the Legislative Council have passed this Bill, with several amendments to which they desire their concurrence.

Pursuant to the Order of the Day, the Bill intituled “An Act to amend the Law relating to Bills of Exchange and Promissory Notes” was read a third time.

The question was put, whether this Bill shall pass?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly and acquaint that House that the Legislative Council have passed this Bill without any amendment.

Pursuant to the Order of the Day, the Bill intituled “An Act for the establishment of a Bank for Savings in Prince Edward Island” was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had taken the said Bill into consideration, had made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again at the afternoon sitting of this House.

*Ordered*, That the Hon. Mr. *Goff* have leave of absence for one week.

The House then adjourned.

At half-past four o'clock, in the afternoon the House met.

A Message was brought from the House of Assembly, by the Hon. *J. H. Gray*, with a Bill intituled "An Act to amend the Act to regulate the Specie Currency of Prince Edward Island," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the consideration of the Bill intituled "An Act for the establishment for a Bank for Savings in Prince Edward Island."

After some time, the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same with several amendments, which he was ready to submit whenever the House would be pleased to receive them.

*Ordered*, That the report be now received.

The said amendments were then read by the Clerk, as follow :

*Folio 6, line 4*,—After "upwards" insert "but no interest will be calculated on any fractional part of a pound."

*Folio 7, line 5*,—After "principal," leave out the remainder of the Section.

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

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

Then the Council adjourned until to-morrow at Ten o'clock.

*Friday, April 1, 1864.*

PRESENT :

The Hon. Mr. <i>Montgomery</i> , President.	
The Hon. Mr. <i>Anderson</i> ,	The Hon. Mr. <i>McDonald</i> ,
Mr. <i>Beer</i> ,	Mr. <i>Palmer</i> ,
Mr. <i>Dingwell</i> ,	Mr. <i>Ramsay</i> ,
Mr. <i>Henderson</i> ,	Mr. <i>Yeo</i> .
Mr. <i>McLaren</i> ,	

**PRAYERS.**

The following Petition was brought up, read, and laid on the table :

By the Hon. Mr. *Palmer*,—Of the President and Directors of the Bank of Prince Edward Island, praying that the Act of Incorporation of the

said Bank may be so amended as to provide for an extension of the term of their Charter, with power to increase the capital of said Corporation, should circumstances require such increase.

The Hon. Mr. *Palmer* presented to the House a Bill intituled "An Act to amend the Act intituled 'An Act to change the Constitution of the Legislative Council, by rendering the same elective.'"

The said Bill was read for the first time.

*Ordered*, That the said Bill be read a second time on Tuesday next.

Then, on motion of the Hon. Mr. *Palmer*, seconded by the Hon. Mr. *Macdonald*,

The House adjourned until Monday next, at three o'clock in the afternoon.

*Monday, April 4, 1864.*

PRESENT :

The Hon. *D. Montgomery*, President.

The Hon. Mr. *Anderson*,  
Mr. *Dingwell*,  
Mr. *Henderson*,

The Hon. Mr. *Lord*,  
Mr. *Ramsay*,  
Mr. *Walker*.

### PRAYERS.

The following Petitions were severally brought up, read, and laid on the table :

By the Hon. Mr. *Anderson*,—Of inhabitants of P. E. Island, praying for an amendment of the existing Licence Law.

By the Hon. Mr. *Ramsay*,—Of inhabitants of Princetown Royalty, praying for an amendment of the Licence Law.

Pursuant to the Order of the Day, the Bill intituled "An Act for the establishment of a Bank for Savings in Prince Edward Island" was, as amended, read a third time.

The question was put whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill, with several amendments, to which they desire their concurrence.

The House then adjourned until to-morrow at Eleven o'clock.

*Tuesday, April 5, 1864.*

PRESENT :

The Hon. Mr. <i>Montgomery</i> , President.	
The Hon. Mr. <i>Anderson</i> ,	The Hon. Mr. <i>McDonald</i> ,
Mr. <i>Beer</i> ,	Mr. <i>Palmer</i> ,
Mr. <i>Dingwell</i> ,	Mr. <i>Ramsay</i> ,
Mr. <i>Lord</i> ,	Mr. <i>Walker</i> ,
Mr. <i>McLaren</i> ,	Mr. <i>Yeo</i> .

**PRAYERS.**

The following Petitions were severally brought up, read, and laid on the table :—

By the Hon. Mr. *Lord*,—Of divers inhabitants of the Western portion of Prince County, praying for a reduction of the duty on Molasses.

By the Hon. Mr. *McDonald*,—Of Edward Morrissey, of Charlottetown, Iron Founder, praying that pig iron may be admitted duty free, or that the existing duty be very considerably reduced thereon, when imported for the purpose of domestic manufacture.

By the Hon. Mr. *Anderson*,—Of inhabitants of Charlottetown and Hillsborough River, praying for an amendment of the Act, 17 Vict. cap. 7, relating to steam navigation between Charlottetown and certain parts of the Hillsborough and Elliot Rivers.

A Message was brought from the House of Assembly, by Mr. *Duncan*, with a Bill intituled “An Act to incorporate the Minister and Trustees of the Presbyterian Church at Valleyfield, Township Number Fifty-seven,” to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

A Message was brought from the House of Assembly, by the Hon. *D. Kaye*, with a Bill intituled “An Act to incorporate St. George’s Lodge, Number Eight hundred and sixty-six, of Free and Accepted Masons of Georgetown, in Prince Edward Island,” to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The Hon. Mr. *Palmer*, by command of His Excellency the Lieutenant Governor, laid before the House—

A Copy of the Warrant Book for the year ending 31st January, 1864.

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

Pursuant to the Order of the Day, the Bill intituled “An Act to amend the Act to regulate the Specie Currency of Prince Edwaard Island,” was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Ramsay*, from the said Committee, reported that they had taken the Bill into consideration, made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

The House then adjourned.

At five o'clock in the afternoon the House met.

The Hon. Mr. *Palmer*, by command of His Excellency the Lieutenant Governor, laid before the House—

1. The Accounts of the Collector of Impost and Excise for Charlottetown, and the Accounts of Impost and Excise for the several Outports of this Island, Light Duty Accounts, &c., for the year ending 31st December, 1863.

2. Accounts of the Public Lands Office for the year ending 31st January, 1864.

3. The Auditors' Classification of the Public Accounts for the year ending 31st January, 1864.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to amend the Act intituled 'An Act to change the Constitution of the Legislative Council, by rendering the same elective,'" was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Palmer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act to repeal the Acts now in force establishing and regulating the rate of Interest, and to make some provisions on the same subject."

After some time, the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had

taken the Bill into consideration, made further progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again presently.

A Message was brought from the House of Assembly, by the Hon. *W. H. Pope*, with a Bill intituled "An Act to continue and amend the Act of Incorporation of the Bank of Prince Edward Island," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

A Message was brought from the House of Assembly, by the Hon. *J. Longworth*, with a Bill intituled "An Act to amend the Act to incorporate the Union Bank of Prince Edward Island," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act to repeal the Acts now in force establishing and regulating the rate of Interest, and to make some provision on the same subject."

After some time, the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House with an amendment, which he was ready to submit whenever the House would be pleased to receive it.

A motion being made,

That the Report of the Committee be now received ;

The Hon. Mr. *Palmer* moved, seconded by the Hon. Mr. *Yeo*,

That the said Bill, as amended, be referred back to the Committee of the whole House, for further amendment, said Committee to sit presently.

After debate,

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

CONTENTS,—7.

NON-CONTENTS,—3.

So it was resolved in the affirmative, and

*Ordered*, accordingly.

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, as amended, and had directed him to report the same to the House with several amendments, which he was ready to submit whenever the House would be pleased to receive them.

*Ordered*, That the Report be now received.



The said amendments were then read by the Clerk, as follow :

*Folio 4, line 11.*—After “passed,” insert, “Provided always that no greater rate of Interest than six per centum per annum shall be taken on any sum of money hereafter to be lent on or secured by either Mortgage or Judgment at Law on either Leasehold or Real Estate; and all Contracts or Agreements for the loan of money on any such security, where a greater rate of Interest than six per centum per annum shall be contracted for, shall be void.”

*In the Preamble of the Bill, folio 1, line 7.*—Leave out from “therein” to “and,” *folio 2, line 3.*

*Folio 2, line 5.*—Leave out “the various” and insert “certain.”

The said amendments being read a second time, they were severally agreed to.

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

The House then adjourned until to-morrow at eleven o'clock.

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*Wednesday, April 6, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *McLaren*,

Mr. *Beer*,

Mr. *Ramsay*,

Mr. *Dingwell*,

Mr. *Palmer*,

Mr. *Henderson*,

Mr. *Walker*.

Mr. *McDonald*,

### PRAYERS.

The following Petitions were severally brought up, read, and laid on the table :

By the Hon. Mr. *Beer*,—Of divers Merchants of Charlottetown, praying for a reduction of the duty on crushed sugar; and of Alexander McKenzie, Confectioner, for the same object.

By the Hon. Mr. *Palmer*,—Of Theophilus DesBrisay, Wm. R. Watson, and M. W. Skinner, praying for a reduction of the duty on patent medicines.

Pursuant to the Order of the Day, the Bill intituled “An Act to incorporate Saint George’s Lodge, Number Eight hundred and sixty-six, of Free and Accepted Masons, of Georgetown, in Prince Edward Island,” was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to incorporate the Minister and Trustees of the Presbyterian Church at Valley-field, Township Number Fifty-seven," was read a second time.

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

The House was then adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *McLaren*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House with an amendment, which he was ready to submit whenever the House would be pleased to receive it.

*Ordered*, That the Report be now received; and the said amendment was then read by the Clerk as follows:

*Folio 4, line 12,—Leave out "three" and insert "five."*

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

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

The House then adjourned.

At five o'clock in the afternoon, the House met.

Pursuant to the Order of the Day, the Bill intituled "An Act to amend the Act intituled 'An Act to incorporate the Union Bank of Prince Edward Island'" was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed; and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to con-

tinue and amend the Act of Incorporation of the Bank of Prince Edward Island" was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Palmer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

The Hon. Mr. *Palmer*, by command of His Excellency the Lieutenant Governor, laid before the House,—

A Letter from the Secretary of the Board of Education, transmitting copies of the following documents, viz :

The Report of the Visitor of Schools for the Eastern District for the past year ; and

The Report of the Visitor of Schools for the Western District for the same period.

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

Pursuant to the Order of the Day, the Bill intituled " An Act to amend the Act intituled ' An Act to change the Constitution of the Legislative Council, by rendering the same elective, ' " was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill, to which they desire their concurrence.

The House then adjourned until to-morrow at Eleven o'clock.

*Thursday, April 7, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

Mr. *Beer*,

Mr. *Dingwell*,

Mr. *Henderson*,

Mr. *Lord*,

The Hon. Mr. *McLaren*,

Mr. *McDonald*,

Mr. *Ramsay*,

Mr. *Walker*.

PRAYERS.

The following Petition was brought up, read, and laid on the table :

By the Hon. Mr. *Beer* : Of divers Inhabitants of this Island, praying for an amendment of the Licence Law.

Pursuant to the Order of the Day, the Bill intituled " An Act to amend the Act intituled ' An Act to incorporate the Union Bank of Prince Edward Island ' " was read a third time.

The question was put whether this Bill shall pass ?

It was resolved in the affirmative.

Pursuant to the Order of the Day, the Bill intituled " An Act to continue and amend the Act of Incorporation of the Bank of Prince Edward Island " was read a third time.

The question was put whether this Bill shall pass ?

It was resolved in the affirmative.

Pursuant to the Order of the Day, the Bill intituled " An Act to Incorporate St. George's Lodge, Number Eight hundred and sixty-six, of Free and Accepted Masons, of Georgetown, in Prince Edward Island," was read a third time.

The question was put whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assémbly, and acquaint that House that the Legislative Council have passed these Bills without any amendment.

Pursuant to the Order of the Day, the Bill intituled " An Act to Incorporate the Minister and Trustees of the Presbyterian Church at Valleyfield, Township Number Fifty-seven," as amended, was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill with an amendment, to which they desire their concurrence.

The House then adjourned.

At a quarter to five o'clock in the afternoon, the House met.

The House was then, according to Order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled " An Act to amend the Act to regulate the Specie Currency of Prince Edward Island."

After some time, the House was resumed, and

The Hon. Mr. *Ramsay* from the said Committee, reported that they had made further progress in the business to them referred, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.  
Then the Council adjourned until to-morrow at Eleven o'clock.

*Friday, April 8, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *McLaren*,

Mr. *Beer*,

Mr. *McDonald*,

Mr. *Dingwell*,

Mr. *Ramsay*,

Mr. *Goff*,

Mr. *Walker*.

Mr. *Henderson*.

**PRAYERS.**

The following Petitions were severally brought up, read, and laid on the table :

By the Hon. Mr. *Beer*,—Of divers electors of New Glasgow and vicinity, praying for an amendment of the existing Licence Law ; of inhabitants of Township No. 37, praying for the establishment of a Small Debt Court at Mount Stewart Bridge ; and of Charles Young and other members of the Grand Temple of the Independent Order of Good Templars, of P. E. Island, praying for an Act of Incorporation similar to that granted in 1852 to the Order of the Sons of Temperance.

By the Hon. Mr. *Goff*,—Of divers inhabitants of Township No. 62, praying for an amendment of the Licence Law.

On motion of the Hon. Mr. *Goff*, seconded by the Hon. Mr. *Henderson*, *Resolved*, That a Select Committee be appointed, to whom shall be referred all Petitions praying for an amendment of the existing Licence Law.

*Ordered*, That the Hon. Mr. *Goff*, the Hon. Mr. *Dingwell*, and the Hon. Mr. *Palmer* do compose the said Committee.

Pursuant to the Order of the Day, the House was again put into a Committee of the whole on the Bill intituled "An Act to amend the Act to regulate the Specie Currency of Prince Edward Island."

After some time the House was resumed, and

The Hon. Mr. *Ramsay*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

Then, on motion of the Hon. Mr. *Dingwell*, seconded by the Hon. Mr. *Goff*,

The House adjourned until to-morrow, at four o'clock in the afternoon.

*Saturday, April 9, 1864.*

PRESENT :

The Hon. Mr. <i>Montgomery</i> , President.	
The Hon. Mr. <i>Anderson</i> ,	The Hon. Mr. <i>Lord</i> ,
Mr. <i>Beer</i> ,	Mr. <i>McLaren</i> ,
Mr. <i>Dingwell</i> ,	Mr. <i>McDonald</i> ,
Mr. <i>Goff</i> ,	Mr. <i>Palmer</i> ,
Mr. <i>Henderson</i> ,	Mr. <i>Ramsay</i> .

**PRAYERS.**

The following Petition was brought up, read and laid on the table :

By the Hon. Mr. *Palmer*,—Of divers inhabitants of the Royalty of Charlottetown and vicinity, praying that a fund may be provided to defray the expense of filling up and levelling “cradle hills” or “pitches” on the winter roads in the Royalty of Charlottetown.

The Hon. Mr. *Ramsay*, from the Select Committee appointed to examine into and report upon such Laws as have expired, or are near expiring, presented to the House their Report.

*Ordered*, That it be received, and

The same was then read by the Clerk as follows :—

LEGISLATIVE COUNCIL CHAMBER,

April 8, 1864.

Your Committee, appointed to examine what laws have expired or are near expiring, submit that—

The Act, 5th George 4, Chapter 12, intituled “An Act to regulate the Fisheries of this Island,” which was continued by various Acts, and latterly by 15th Victoria, Chapter 1, expired on the last day of the Session of 1863.

The Act, 11th Victoria, Chapter 7, intituled “An Act for levying further an Assessment on all Land in this Colony, and for the encouragement of Education,” and the several Acts in amendment thereof, will expire at the end of the present Session.

The Act, 24th Victoria, Chapter 35, intituled “An Act to raise funds for the purposes of Education, by imposing an additional assessment on Land in this Island, and on Real Estate in Charlottetown and Common, and Georgetown and Common,” will also expire at the end of the present Session.

And that the Act, 19th Victoria, Chapter 1, intituled “An Act for raising a Revenue, and to consolidate and amend the several Acts therein mentioned,” (continued with certain exceptions, by 26th Victoria, Chapter 2,) will expire on the first day of May next.

And the Act, 26th Victoria, Chapter 2, intituled “An Act for raising a Revenue,” will also expire on the first day of May next.

DONALD RAMSAY.

*Ordered*, That the said Report be adopted.

The Hon. Mr. *Goff*, from the Select Committee appointed to examine and report upon the various Petitions presented to this House this session, praying for an amendment of the existing Licence Law, presented to the House their Report.

*Ordered*, That it be received.

The same was then read by the Clerk, as follows :

LEGISLATIVE COUNCIL CHAMBER,

April 8, 1864.

Your Committee have had under their consideration the various Petitions to it referred by your Honorable House, respecting an alteration in the laws regulating the sale of spirituous liquors, (that is to say :)

A Petition of George W. Millner, John W. Morrison, and divers other inhabitants of this Island ; a Petition of John Cornish, Donald Matthewson, and divers other inhabitants of Township No. 62 ; a Petition of Donald McMullen, Roderick McKay, and divers other inhabitants, also of said Township No. 62 ; a Petition of James Moffat, Andrew Dixon, and divers other inhabitants of New Glasgow ; a Petition of Nelson Inman, George Ross, and divers other inhabitants of this Island ; a Petition of Edmund Ford, Elias Roberts, and divers other inhabitants of Wheatley River and vicinity ; and also a Petition from Robert Laird, George H. S. McNutt, and divers other inhabitants of Princetown Royalty and vicinity, — the aggregate number of Petitioners being over two thousand.

The prayer of the great body of the said Petitioners is, that the laws regulating the sale of spirituous liquors may be so altered, that no licence for retailing spirituous liquors be granted or renewed in future to either a store or tavern keeper, unless the granting thereof be first approved of by a majority of the inhabitants of the School District wherein the applicant shall intend to sell, declared at a public meeting of such inhabitants convened on reasonable notice ; and also that no Storekeeper be licensed to sell less than one quart.

Your Committee, on reviewing the operation of the present licence laws, have too much reason to believe that those laws are in most places greatly abused, and have failed to prevent that unnecessary and excessive use of ardent spirits which it was the object of the Legislature to suppress.

Your Committee, feeling the responsibility which in every civilized and Christian country rests on the supreme power in the State to legislate with vigilance, and as far as positive enactments can be devised, against habits of gross intemperance and those evils and crimes which are universally acknowledged to flow from their prevalence, will be prepared to concur in any sound enactive remedy which may come from the other Branch of the Legislature, whose more constitutional province it may be to legislate on Bills imposing pecuniary burthens on the subject.

JOHN GOFF, Chairman.

Ordered, That the said Report be adopted.

The House then adjourned until Monday next, at Eleven o'clock.

Monday, April 11, 1864.

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *McLaren*,

Mr. *Beer*,

Mr. *McDonald*,

Mr. *Dingwell*,

Mr. *Palmer*,

Mr. *Goff*,

Mr. *Ramsay*,

Mr. *Henderson*,

Mr. *Walker*.

Mr. *Lord*,

PRAYERS.

The Order of the Day being read for the third reading of the Bill intituled "An Act to repeal the Acts now in force establishing and regulating the rate of Interest, and to make some provisions on the same subject,"

A motion was made, —

That the said Bill be now read a third time,

The Hon. Mr. *Beer* moved, seconded by the Hon. Mr. *Goff*,

To leave out the word "now," and after "time" to insert "this day three months."

The question of concurrence being put thereon,

It was resolved in the affirmative, and

*Ordered*, accordingly.

A Message was brought from the House of Assembly, by the Hon. *J. H. Gray*, with a Bill intituled "An Act to provide for the establishment of a Marine Court of Inquiry," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The House then adjourned until to-morrow, at eleven o'clock.

*Tuesday, April 12, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

Mr. *Beer*,

Mr. *Dingwell*,

Mr. *Goff*,

Mr. *Henderson*,

The Hon. Mr. *Lord*,

Mr. *McLaren*,

Mr. *McDonald*,

Mr. *Palmer*,

Mr. *Walker*.

### PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act to provide for the establishment of a Marine Court of Inquiry" was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Beer*, from the said Committee, reported that they had taken the Bill into consideration, made some progress therein, and had directed him to ask leave to sit again.



*Ordered*, That the said Committee have leave to sit again to-morrow.

A Message was brought from the House of Assembly, by Mr. *Brecken*, with a Bill intituled "An Act in addition to the Act to extend the Criminal jurisdiction of the Police Court in the City of Charlottetown," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

A Message was brought from the House of Assembly, by Mr. *Duncan*, to return the Bill intituled "An Act to incorporate the Minister and Trustees of the Presbyterian Church at Valleyfield, Township Number Fifty-seven," and to acquaint this House that the House of Assembly doth agree to the amendment to the said Bill, without any amendment.

The House then adjourned until eleven o'clock to-morrow.

*Wednesday, April 13, 1864.*

PRESENT:

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,  
Mr. *Dingwell*,  
Mr. *Goff*,

The Hon. Mr. *McLaren*,  
Mr. *McDonald*,  
Mr. *Ramsay*.

**PRAYERS.**

At twelve o'clock, the names were taken down as follow:

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Dingwell*,  
Mr. *McLaren*,

The Hon. Mr. *McDonald*,  
Mr. *Ramsay*.

There not being a Quorum,

The Council adjourned until to-morrow at eleven o'clock.

*Thursday, April 14, 1864.*

PRESENT:

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,  
Mr. *Beer*,  
Mr. *Dingwell*,  
Mr. *Goff*,  
Mr. *Henderson*,  
Mr. *Lord*,

The Hon. Mr. *McDonald*,  
Mr. *McLaren*,  
Mr. *Palmer*,  
Mr. *Ramsay*,  
Mr. *Walker*.

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act in addition to the Act to extend the Criminal Jurisdiction of the Police Court in the City of Charlottetown" was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Beer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

A Message was brought from the House of Assembly, by the Hon. Mr. *Davies*, with a Bill intituled "An Act relating to Partridges or Tree Grouse, and to repeal certain portions of the several Acts therein mentioned," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to amend the Act to regulate the Specie Currency of Prince Edward Island" was read a third time.

And on the question being put, whether this Bill shall pass?

The House divided; and the names being called for, they were taken down as follow :

**CONTENTS :**

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Goff*,  
 Mr. *Henderson*,  
 Mr. *McLaren*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,—7.

**NON-CONTENTS :**

The Hon. Mr. *Dingwell*,  
 Mr. *Lord*,  
 Mr. *McDonald*,  
 Mr. *Walker*,—4.

So it was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly and acquaint that House that the Legislative Council have passed this Bill without any amendment.

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act to provide for the establishment of a Marine Court of Inquiry."

After some time, the House was resumed, and

The Hon. Mr. *Beer*, from the said Committee, reported that they had made further progress in the business to them referred, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

*Ordered*, That the Hon. Mr. *McDonald* have leave of absence until Wednesday next.

The House then adjourned until to-morrow at four o'clock.

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*Friday, April 15, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *Lord*,

Mr. *Beer*,

Mr. *McLaren*,

Mr. *Dingwell*,

Mr. *Palmer*,

Mr. *Goff*,

Mr. *Ramsay*.

Mr. *Henderson*,

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act in addition to the Act to extend the Criminal Jurisdiction of the Police Court in the City of Charlottetown" was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill, without any amendment.

Pursuant to the Order of the Day, the Bill intituled "An Act relating to Partridges or Tree Grouse, and to repeal certain portions of the several Acts therein mentioned," was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Lord*, from the said Committee, reported that they had taken the Bill into consideration, made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again presently.

A Message was brought from the House of Assembly, by the Hon. J. Longworth, to return the Bill intituled "An Act for the establishment of a Bank for Savings in Prince Edward Island," and to acquaint this House that the House of Assembly doth agree to the amendments to the said Bill without any amendment.

A Message was brought from the House of Assembly, by Mr. Brecken, with two Bills, to which they desire the concurrence of this House, intituled as follows :

"An Act in addition to the Act to incorporate the Town of Charlottetown ;" and

"An Act to incorporate the Grand and Subordinate Temples of the Independent Order of Good Templars of Prince Edward Island."

The Bill intituled "An Act in addition to the Act to incorporate the Town of Charlottetown" was read for the first time.

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

The Bill intituled "An Act to incorporate the Grand and Subordinate Temples of the Independent Order of Good Templars of Prince Edward Island" was read for the first time.

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

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act relating to Partridges or Tree Grouse, and to repeal certain portions of the several Acts therein mentioned."

After some time, the House was resumed, and

The Hon. Mr. Lord, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House with several amendments, which he was ready to submit whenever the House would be pleased to receive them.

*Ordered*, That the Report be now received.

The said amendments were then read by the Clerk as follows :

*Folio 2, line 7*,—After "Five" leave out all the words to "also," in line 11, and insert "and."

*Same folio, line 13*,—After "Eleven," leave out all the words to "as," fol. 3, line 1.

*Folio 6, line 1*,—Leave out all the words from "for" to "month," line 2, and insert "a period not exceeding one calendar."

*Same folio, line 5*,—After "and" insert "from."

The said amendments being read a second time, they were severally agreed to.

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

The House then adjourned until to-morrow, at eleven o'clock.

*Saturday, April 16, 1864*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,  
Mr. *Beer*,  
Mr. *Dingwell*,  
Mr. *Goff*,  
Mr. *Henderson*,

The Hon. Mr. *Lord*,  
Mr. *McLaren*,  
Mr. *Palmer*,  
Mr. *Ramsay*,  
Mr. *Walker*.

**PRAYERS.**

The following Petition was brought up, read, and laid on the table :

By the Hon. Mr. *Palmer*,—Of the Minister, Church Wardens, and Vestry of St. Paul's Church, Charlottetown, praying for the passage of an Act to facilitate the recovery of pew and other rates, levies, and assessments, by enabling actions to be brought in the name of petitioners, and for other purposes therein mentioned.

Pursuant to the Order of the Day, the Bill intituled "An Act in addition to the Act to incorporate the Town of Charlottetown" was read a second time.

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

The House was then adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Beer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

Pursuant to the Order of the Day, the Bill intituled "An Act relating to Partridges or Tree Grouse, and to repeal certain portions of the several Acts therein mentioned," was, as amended, read a third time.

The question was put whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly and acquaint that House that the Legislative Council have passed this Bill, with several amendments, to which they desire their concurrence.

The Hon. Mr. *Palmer* moved, seconded by the Hon. Mr. *Henderson*,—

That the Clerk do hand back to the Auditors the Copy of the Classified Public Accounts laid before this House on the 5th inst., for the purpose of rectifying certain inaccuracies subsequently discovered therein.

Which being objected to ;

After debate,

The House divided; and the names being called for, they were taken down as follow :

## CONTENTS :

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Goff*,  
 Mr. *Henderson*,  
 Mr. *McLaren*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,  
 Mr. *Walker*,—8.

## NON-CONTENTS :

The Hon. Mr. *Dingwell*,  
 Mr. *Lord*,—2.

So it was resolved in the affirmative, and  
*Ordered* accordingly.

The House then adjourned until Monday next, at eleven o'clock.

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*Monday, April 18, 1864.*

## PRESENT :

The Hon. Mr. <i>Montgomery</i> , President.	
The Hon. Mr. <i>Anderson</i> ,	The Hon. Mr. <i>Lord</i> ,
Mr. <i>Beer</i> ,	Mr. <i>McLaren</i> ,
Mr. <i>Dingwell</i> ,	Mr. <i>Ramsay</i> ,
Mr. <i>Henderson</i> ,	Mr. <i>Walker</i> .

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled “ An Act in addition to the Act to incorporate the Town of Charlottetown ” was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill without any amendment.

Pursuant to the Order of the Day, the Bill intituled “ An Act to incorporate the Grand and Subordinate Temples of the Independent Order of Good Templars of Prince Edward Island ” was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time, the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

The House then adjourned until to-morrow at Eleven o'clock.

*Tuesday, April 19, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *McDonald*,

Mr. *Beer*,

Mr. *McLaren*,

Mr. *Dingwell*,

Mr. *Palmer*,

Mr. *Goff*,

Mr. *Ramsay*,

Mr. *Henderson*,

Mr. *Yeo*.

### **PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act to incorporate the Grand and Subordinate Temples of the Independent Order of Good Templars of Prince Edward Island" was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill without any amendment.

A Message was brought from the House of Assembly, by the Hon. Mr. *Hensley*, with two Bills, to which they desire the concurrence of this House, intituled as follow :

"An Act to amend the Act of the Third year of King William the Fourth, Chapter Twenty, respecting the Church of England in this Island ;" and

"An Act to alter and amend the Act facilitating the Partition of Lands held by persons as Joint Tenants, Co-parceners, or Tenants in common."

The said Bills were severally read for the first time.

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

A Message was brought from the House of Assembly, by Mr. *Howlan*, with a Bill intituled "An Act for regulating the inspection of pickled Fish for exportation from this Island," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The Hon. Mr. Palmer, from the Joint Committee of the Legislative Council and House of Assembly, appointed to prepare Congratulatory Addresses to Her Majesty the Queen and to His Royal Highness the Prince of Wales on the happy occasion of Her Royal Highness the Princess of Wales being safely delivered of a Prince, reported two Addresses prepared by them, as follow :

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY :

We, your Majesty's dutiful and loyal subjects, the Legislative Council and House of Assembly of Prince Edward Island, in Colonial Parliament convened, beg leave to approach your Majesty with renewed expressions of our loyalty and attachment to your Majesty's august person and government.

We rejoice in having occasion to congratulate your Majesty that Her Royal Highness the Princess of Wales has given birth to a Prince. This auspicious event strengthens the assurance that your Majesty's illustrious line and dynasty will be long continued to the people of your Majesty's Empire, and is hailed by the inhabitants of this Colony with no less happiness and enthusiasm than it could be by any other portion of your Majesty's subjects in your wide-spread dominions.

In offering our congratulations to our Sovereign, on this happy event, it is our fervent prayer and desire that the Royal Infant, under Divine Providence, will prove a blessing and honor to his illustrious parents, and an additional security to your Majesty's throne and dignity.

*To His Royal Highness ALBERT EDWARD, Prince of Wales, Duke of Saxony, Prince of Saxe Coburg and Gotha, Duke of Cornwall and Rothsay, Earl of Chester, Carrick, and Dublin, Baron of Renfrew, and Lord of the Isles, Great Steward of Scotland, Knight of the Most Noble Order of the Garter.*

MOST ILLUSTRIOUS PRINCE :

With no ordinary sentiments of loyalty and devotion, we, Her Majesty's most dutiful subjects, the Legislative Council and House of Assembly of Prince Edward Island, in Colonial Parliament convened, approach your Royal Highness and your august Consort with our heartfelt congratulations on the happy and auspicious event of the birth of a son.

In offering our affectionate congratulations, we would add our united and cordial prayers to the Giver of all good, that the Royal Infant will prove a blessing to his illustrious parents, and an honor to the great nation of which we have the happiness to form a part.

And the said Addresses being again read by the Clerk, were unanimously agreed to by the House.

*Ordered,* That the President do sign the said Addresses on the part of this House.

A Message was brought from the House of Assembly, by the Hon. J. H. Gray and others, in the following words :

HOUSE OF ASSEMBLY,

Tuesday, April 19, 1864.

*Resolved,* That a Committee be appointed to join a Committee of the Legislative Council to prepare an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to forward the joint Congratulatory Addresses of both Houses to Her Majesty the Queen and to His Royal Highness the Prince of Wales on the happy event of the birth of a Prince, to be laid at the foot of the Throne.

*Ordered,* That the same Committee who prepared the Addresses to Her Majesty and the Prince of Wales be a Committee to prepare the said Address to His Excellency.



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

JOHN McNEILL, C. H. A.

And then they withdrew.

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

*Ordered*, That the same Committee who prepared the Addresses to Her Majesty and His Royal Highness the Prince of Wales be a Committee, on the part of this House, to prepare the said Address to His Excellency.

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

The Hon. Mr. *Palmer*, from the Joint Committee of the Legislative Council and House of Assembly, appointed to prepare an Address to His Excellency the Lieutenant Governor, requesting His Excellency to be pleased to forward the Congratulatory Addresses to Her Majesty the Queen and His Royal Highness the Prince of Wales, on the happy occasion of Her Royal Highness the Princess of Wales having given birth to a Prince, reported an Address prepared by them, as follows :

*To His Excellency GEORGE DUNDAS, 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, in Colonial Parliament assembled, having unanimously agreed to present Congratulatory Addresses to Her Majesty the Queen and to His Royal Highness the Prince of Wales, on the happy occasion of Her Royal Highness the Princess of Wales having given birth to a Prince,—which Addresses are herewith submitted,—respectfully request that your Excellency will be pleased to transmit the same to their respective destinations.

Which Address, being again read by the Clerk, was unanimously agreed to by the House.

*Ordered*, That the said Address be engrossed, and that the same be signed by the President of this House.

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

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled “An Act to provide for the establishment of a Marine Court of Inquiry.”

After some time the House was resumed, and

The Hon. Mr. *Beer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

The Hon. Mr. *Palmer* presented to the House a Bill intituled "An Act to carry into effect certain unexecuted agreements made by the late John Hodges Winsloe, Esquire, deceased, for the sale and leasing of certain parts of his estate in this colony."

The said Bill was read for the first time.

*Ordered*, That the said Bill be referred to a Select Committee, composed of the Honorable Messrs. *Palmer*, *McDonald*, and *Anderson*, to meet and adjourn as they please, and that it be an instruction to the said Committee to cause the object and substance of the said Bill to be notified to the devisees, representatives, and children of the said John Hodges Winsloe residing in this Island before reporting thereon, and also to estimate and report the expense of the passing of the said Bill.

A Message was brought from the House of Assembly, by the Hon. *W. H. Pope*, with a Bill intituled "An Act for the regulation of the Oyster Fisheries in this Island," to which they desire the concurrence of this House.

And also to return the Bill intituled "An Act to amend the Act intituled 'An Act to change the Constitution of the Legislative Council, by rendering the same elective,' " and to acquaint this House that they have passed the said Bill without any amendment.

The said first mentioned Bill was read for the first time.

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

A Message was brought from the House of Assembly, by the Hon. Mr. *Davies*, to return the Bill intituled "An Act relating to Partridges or Tree Grouse, and to repeal certain portions of the several Acts therein mentioned," and to acquaint this House that they have agreed to the amendments made by the Legislative Council to the said Bill, without any amendment.

Then the House adjourned until to-morrow, at Eleven o'clock in the forenoon.

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*Wednesday, April 20, 1864.*

PRESENT :

The Hon. Mr. <i>Anderson</i> ,	The Hon. Mr. <i>McDonald</i> ,
Mr. <i>Beer</i> ,	Mr. <i>McLaren</i> ,
Mr. <i>Dingwell</i> ,	Mr. <i>Palmer</i> ,
Mr. <i>Goff</i> ,	Mr. <i>Ramsay</i> ,
Mr. <i>Henderson</i> ,	Mr. <i>Walker</i> ,
Mr. <i>Lord</i> ,	Mr. <i>Yeo</i> .

**PRAYERS.**

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act to provide for the establishment of a Marine Court of Inquiry" was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill without any amendment.

Pursuant to the Order of the Day, the Bill intituled "An Act to amend the Act of the Third year of King William the Fourth, Chapter Twenty, respecting the Church of England in this Island," was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Goff*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

A Message was brought from the House of Assembly, by the Hon. Mr. *Hensley*, with two Bills, to which they desire the concurrence of this House, intituled as follow :

"An Act to amend the Act now in force for the relief of Insolvent Debtors ;" and

"An Act to facilitate proceedings in Suits in the Court of Chancery, in cases where the Defendants, or any of them, shall be absent from this Island."

The said Bills were severally read for the first time.

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

A Message was brought from the House of Assembly, by the Hon. Mr. *Longworth*, with two Bills, to which they desire the concurrence of this House, intituled as follow :

"An Act in further amendment of the Laws relating to Education, and also to explain and amend the Act relating to the establishment of the Prince of Wales' College ;" and

"An Act to revive and continue the Act intituled 'An Act to regulate the Fisheries of this Island'."

The said Bills were severally read for the first time.

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

A Message was brought from the House of Assembly, by Mr. *Haslem*, with a Bill intituled "An Act to authorize the establishment of certain additional Small Debt Courts in this Island," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

A Message was brought from the House of Assembly, by the Hon. *J. C. Pope*, with a Bill intituled "An Act to regulate the inspection of Flour and Meal," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

Pursuant to the Order of the Day, the Bill intituled "An Act for the regulation of the Oyster Fisheries of this Island" was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Yeo*, from the said Committee, reported that they had taken the Bill into consideration, made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again at the next sitting of this House.

The House then adjourned.

At four o'clock in the afternoon the House met.

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act for the regulation of the Oyster Fisheries of this Island."

After some time the House was resumed, and

The Hon. Mr. *Yeo*, from the said Committee, reported that they had made further progress in the business to them referred, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

Then the House adjourned until to-morrow at eleven o'clock in the forenoon.

*Thursday, April 21, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

Mr. *Beer*,

Mr. *Dingwell*,

Mr. *Goff*,

Mr. *Henderson*,

Mr. *Lord*,

The Hon. Mr. *McDonald*,

Mr. *McLaren*,

Mr. *Palmer*,

Mr. *Ramsay*.

Mr. *Walker*.

Mr. *Yeo*.

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act to amend the Act of the Third year of King William the Fourth, Chapter Twenty, respecting the Church of England in this Island," was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill without any amendment.

Pursuant to the Order of the Day, the Bill intituled "An Act to revive and continue the Act intituled 'An Act to regulate the Fisheries of this Island'" was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Beer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to regulate the Inspection of Flour and Meal" was read a second time.

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

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House with several amendments, which he was ready to submit whenever the House would be pleased to receive them.

*Ordered*, That the Report be now received.

The said amendments were then read by the Clerk as follows:

*Folio 5, line 7*—Leave out all the words from “allow” to “and,” in line 9, and insert, “mark in a legible figure or legible figures the quantity deficient, in connection with the word ‘short,’ as, for instance, ‘short  $2\frac{1}{2}$ ,’ where there may be a deficiency of two and one half pounds, and so for different quantities deficient.

*Same folio, line 10*,—Leave out from “thereof” to “with,” in line 11.

*Folio 7, line 6*,—Leave out from “offence” to “one,” in line 8.

*Folio 8, line 1*,—Leave out “the same” and insert “barrelled flour or meal.”

The said amendments being read a second time, they were severally agreed to.

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

The House then adjourned.

At four o'clock in the afternoon the House met.

Pursuant to the Order of the Day, the Bill intituled “An Act for regulating the Inspection of pickled Fish for exportation from this Island” was read a second time.

On motion of the Hon. Mr. *McDonald*, seconded by the Hon. Mr. *Anderson*, it was

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed.

Pursuant to the Order of the Day, the Bill intituled “An Act to amend the Act for the relief of insolvent Debtors” was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

Then the House adjourned until to-morrow at eleven o'clock in the forenoon.

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*Friday, April 22, 1864.*

PRESENT:

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Dingwell*,  
 Mr. *Goff*,  
 Mr. *Henderson*,  
 Mr. *Lord*,

The Hon. Mr. *McDonald*,  
 Mr. *McLaren*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,  
 Mr. *Walker*.  
 Mr. *Yeo*.

## PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act to regulate the Inspection of Flour and Meal" was, as amended, read a third time.

The question was put, whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill with several amendments, to which they desire their concurrence.

Pursuant to the Order of the Day, the Bill intituled "An Act to amend the Act now in force for the relief of Insolvent Debtors" was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill without any amendment.

Pursuant to the Order of the Day, the Bill intituled "An Act in further amendment of the Laws relating to Education, and also to explain and amend the Act relating to the establishment of the Prince of Wales' College," was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

The House was then, according to Order, again put into a Committee of the whole on the Bill intituled "An Act for the regulation of the Oyster Fisheries of this Island."

After some time the House was resumed, and

The Hon. Mr. *Yeo*, from the said Committee, reported that they had made further progress in the business to them referred, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again at the next sitting of this House.

A Message was brought from the House of Assembly, by the Hon. Mr. Warburton, with a Bill intituled "An Act in addition to the Act to require Clergymen and others authorized to solemnize Marriages to return Certificates thereof to the Surrogate of the Island, and to require Clergymen to keep a Record of Baptisms," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

A Message was brought from the House of Assembly, by the Hon. J. H. Gray, with a Bill intituled "An Act for settling differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their farms," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The House then adjourned.

At half past four o'clock in the afternoon the House met.

Pursuant to the Order of the Day, the Bill intituled "An Act to authorize the establishment of certain additional Small Debt Courts in this Island" was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. Beer, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

The House was then, according to Order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act for the regulation of the Oyster Fisheries of this Island."

After some time the House was resumed, and

The Hon. Mr. Yeo, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House with several amendments, which he was ready to submit whenever the House would be pleased to receive them.

*Ordered*, That the Report be now received.



The said amendments were then read by the Clerk as follows :

*Folio 4, line 12.*—Leave out “ first ” and insert “ fifteenth.”

*Same folio, line 13.*—Leave out “ June ” and insert “ May.”

*Folio 5, line 5.*—After “ Vessel ” leave out all the remaining sections of the Bill, and insert the following :

“ This Act shall continue and be in force for five years from the passing thereof, and from thence to the end of the then next session of the General Assembly, and no longer.”

The said amendments being read a second time, they were severally agreed to.

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

Pursuant to the Order of the Day, the Bill intituled “ An Act to facilitate proceedings in Suits in the Court of Chancery, in cases where the defendants, or any of them, shall be absent from this Island,” was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

Pursuant to the Order of the Day, the Bill intituled “ An Act to revive and continue the Act intituled ‘ An Act to regulate the Fisheries of this Island ’ ” was read a third time.

The question was put whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered,* That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill without any amendment.

Pursuant to the Order of the Day, the Bill intituled “ An Act to alter and amend the Act for facilitating the Partition of Lands held by persons as Joint Tenants, Co-parceners, or Tenants in common,” was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had taken the Bill into consideration, made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

The House then adjourned until to-morrow, at eleven o'clock in the forenoon.

*Saturday, April 23, 1864.*

PRESENT :

The Hon. Mr. <i>Anderson</i> ,	The Hon. Mr. <i>McDonald</i> ,
Mr. <i>Beer</i> ,	Mr. <i>McLaren</i> ,
Mr. <i>Dingwell</i> ,	Mr. <i>Palmer</i> ,
Mr. <i>Goff</i> ,	Mr. <i>Ramsay</i> ,
Mr. <i>Henderson</i> ,	Mr. <i>Walker</i> ,
Mr. <i>Lord</i> ,	Mr. <i>Yeo</i> .

### PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act to facilitate proceedings in Suits in the Court of Chancery, in cases where the defendants, or any of them, shall be absent from this Island" was read a third time.

The question was put, whether this Bill shall pass?  
It was resolved in the affirmative.

Pursuant to the Order of the Day, the Bill intituled "An Act to authorize the establishment of certain additional Small Debt Courts in this Island" was read a third time.

And on the question being put, whether this Bill shall pass?

The House divided; and the names being called for, they were taken down as follow :

#### CONTENTS :

The Hon. Mr. *Anderson*,  
Mr. *Beer*,  
Mr. *Dingwell*,  
Mr. *Henderson*,  
Mr. *Lord*,  
Mr. *McLaren*,  
Mr. *Ramsay*,  
Mr. *Walker*,  
Mr. *Yeo*,—9.

#### NON-CONTENTS :

The Hon. Mr. *Goff*,  
Mr. *McDonald*,—2.

So it was resolved in the affirmative.

Pursuant to the Order of the Day, the Bill intituled "An Act in further amendment of the Laws relating to Education, and also to explain and amend the Act relating to the establishment of the Prince of Wales' College," was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed these Bills without any amendment.

A motion being made,

That the Order of the Day, for the third reading of the Bill intituled "An Act for the regulation of the Oyster Fisheries in this Island" be now read ;

The Hon. Mr. *Anderson* moved, seconded by the Hon. Mr. *Beer*,

That the said Order of the Day be discharged, and that the said Bill be again referred to a Committee of the whole House, for the purpose of striking out the words, "the formation of new Beds," in the Preamble of the said Bill.

The question of concurrence being put thereon, the same was resolved in the affirmative.

The Hon. Mr. *Macdonald* then moved, seconded by the Hon. Mr. *Yeo*,

That it also be an instruction to the said Committee, to further amend the said Bill by striking out the words "in his possession," in folio 3, line 11.

The question of concurrence being put thereon, the same was resolved in the negative.

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

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Yeo*, from the said Committee, reported that they had complied with the instructions given them by this House, and had directed him to report the said Bill to the House with an additional amendment, which he was ready to submit whenever the House would be pleased to receive it.

*Ordered*, That the Report be now received.

The said amendment was then read by the Clerk, as follows :

*In the Preamble, folio 1, lines 11 and 12, —Leave out "and the formation of new Beds."*

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

*Ordered*, That the said amendment be engrossed, and the Bill, as amended, read a third time presently.

The said Bill, as amended, was read a third time accordingly.

The question was put, whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill, with several amendments, to which they desire the concurrence of the House of Assembly.

Pursuant to the Order of the Day, the Bill intituled "An Act in addition to the Act to require Clergymen and others authorized to solemnize marriages to return Certificates thereof to the Surrogate of the Island, and to require Clergymen to keep a Record of Baptisms," was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Goff*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act to alter and amend the Act for facilitating the Partition of Lands held by persons as Joint Tenants, Co-parceners, or Tenants in Common."

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House with several amendments, which he was ready to submit whenever the House would be pleased to receive them.

*Ordered*, That the Report be now received.

The said amendments were then read by the Clerk, as follow :

*Folio 3, line 9*.—Leave out "Summons or Rule" and insert "order."

*Folio 5, line 3*.—After "thereto," insert "and the said Court or Judge may, in their discretion, make an order to amend the said Petition, by inserting the name or names of such absent person or persons."

*Folio 6, line 11*.—Leave out "his counsel," and after "or" insert "his."

*Folio 10, line 6*.—After "them" insert "Provided always, that where the consent of all parties be for that purpose given, the said Court or Judge may appoint two or one Commissioners or Commissioner, with the like powers as aforesaid."

The said amendments being read a second time, they were severally agreed to.

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

A Message was brought from the House of Assembly, by the Hon. *W. H. Pope*, with a Bill intituled "An Act for the Incorporation of the Prince Edward Island Steam Navigation Company," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The Hon. Mr. *Palmer* presented a Bill intituled "An Act to alter the Act for the trial of actions in a summary way, and to make certain provisions for the trial of Appeals from Inferior Courts to the Supreme Court of Judicature."

The said Bill was read for the first time.

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

The Hon. Mr. *Palmer*, from the Joint Committee of the Council and Assembly, appointed to wait upon His Excellency the Lieutenant Governor with the Address praying that His Excellency will be pleased to forward the Joint Addresses of both Houses to Her Majesty the Queen and His Royal Highness the Prince of Wales, reported the delivery thereof, and that His Excellency was pleased to say, he would forward the said Addresses to their respective destinations.

The Council then adjourned until Monday next, at eleven o'clock in the forenoon.

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*Monday, April 25, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Dingwell*,  
 Mr. *Goff*,  
 Mr. *Henderson*,  
 Mr. *Lord*,

The Hon. Mr. *McDonald*,  
 Mr. *McLaren*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,  
 Mr. *Walker*,  
 Mr. *Yeo*.

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act in addition to the Act to require Clergymen and others authorized to solemnize Marriages to return Certificates thereof to the Surrogate of the Island, and to require Clergymen to keep a Record of Baptisms," was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

Pursuant to the Order of the Day, the Bill intituled "An Act to alter and amend the Act for facilitating the Partition of Lands held by persons as

Joint Tenants, Co-parceners, or Tenants in common," was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed these Bills without any amendment.

Pursuant to the Order of the Day, the Bill intituled " An Act for the Incorporation of the Prince Edward Island Steam Navigation Company " was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

*Ordered*, That the said Bill be read a third time presently.

The said Bill was then read a third time accordingly.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill without any amendment.

A Message was brought from the House of Assembly, by the Hon. Mr. *Kelly*, with a Bill intituled " An Act relating to Steam Communication between Charlottetown and certain parts of the Hillsborough and Elliot Rivers, and to repeal a certain Act therein mentioned," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

A Message was brought from the House of Assembly, by Mr. *McLennan*, with a Bill intituled " An Act to prevent the running at large of Horses, Neat Cattle, Swine, Sheep, and Geese in Saint Eleanor's," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

The Order of the Day being read, for the second reading of the Bill intituled " An Act for settling the differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms,"

The Hon. Mr. *Palmer* moved, seconded by the Hon. Mr. *Beer*,

That the said Bill be now read a second time.

After debate,

The question of concurrence being put thereon, the same was resolved in the affirmative, and

The said Bill was then read a second time accordingly.

The House then adjourned.

At four o'clock in the afternoon the House met.

A motion being made,

That the Bill intituled "An Act for settling the differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms," be committed to a Committee of the whole House presently.

After debate,

The question of concurrence being put thereon, the same was resolved in the affirmative, and

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Anderson*, from the said Committee, reported that they had taken the Bill into consideration, made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

The House then adjourned until to-morrow, at eleven o'clock in the forenoon.

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*Tuesday, April 26, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

Mr. *Beer*,

Mr. *Dingwell*,

Mr. *Goff*,

Mr. *Henderson*,

Mr. *Lord*,

The Hon. Mr. *McDonald*,

Mr. *McLaren*,

Mr. *Palmer*,

Mr. *Ramsay*,

Mr. *Walker*,

Mr. *Yeo*.

### PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act relating to Steam Communication between Charlottetown and certain parts of the Hillsborough and Elliot Rivers, and to repeal a certain Act therein mentioned," was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to prevent the running at large of Horses, Neat Cattle, Swine, Sheep, and Geese in Saint Eleanor's," was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Ramsay*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

A Message was brought from the House of Assembly, by the Hon. Mr. *Hensley*, to return the Bill intituled "An Act to alter and amend the Act for facilitating the Partition of Lands held by persons as Joint Tenants, Co-parceners, or Tenants in Common," and to acquaint this House that they have agreed to the amendments made by the Legislative Council to the said Bill, without any amendment

The House then adjourned.

At a quarter to five in the afternoon the House met.

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act for settling differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms."

After some time the House was resumed, and

The Hon. Mr. *Anderson*, from the said Committee, reported that they had made further progress in the business to them referred, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

The House then adjourned until to-morrow, at Eleven o'clock in the forenoon.



Wednesday, April 27, 1864.

PRESENT :

The Hon. Mr. <i>Montgomery</i> , President.	
The Hon. Mr. <i>Anderson</i> ,	The Hon. Mr. <i>McDonald</i> ,
Mr. <i>Beer</i> ,	Mr. <i>McLaren</i> ,
Mr. <i>Dingwell</i> ,	Mr. <i>Palmer</i> ,
Mr. <i>Goff</i> ,	Mr. <i>Ramsay</i> ,
Mr. <i>Henderson</i> ,	Mr. <i>Walker</i> ,
Mr. <i>Lord</i> ,	Mr. <i>Yeo</i> .

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act relating to Steam Communication between Charlottetown and certain parts of the Hillsborough and Elliot Rivers, and to repeal a certain Act therein mentioned," was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

Pursuant to the Order of the Day, the Bill intituled "An Act to prevent the running at large of Horses, Neat Cattle, Swine, Sheep, and Geese in Saint Eleanor's," was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed these Bills without any amendment.

The House was then, according to Order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act for settling differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms.

After some time the House was resumed, and

The Hon. Mr. *Anderson*, from the said Committee, reported that they had made further progress in the business to them referred, and had directed him to ask leave to sit again.

*Ordered*; That the said Committee have leave to sit again at the next sitting of this House.

A Message was brought from the House of Assembly, by the Hon. Mr. *Longworth*, with three Bills, to which they desire the concurrence of this House, intituled as follow :

"An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island ;"

"An Act to continue for certain purposes the Land Assessment Act of the Eleventh Victoria, Chapter Seven, and the several Acts in amendment thereof, and for other purposes therein mentioned ;" and

“ An Act to consolidate and amend the several Laws imposing an Assessment on all Lands in this Colony, and for the encouragement of Education.”

Also, desiring a Conference with the Legislative Council on the amendments made by the Council to the Bill intituled “ An Act relating to the fraudulent marking of merchandize,” and informing this House that they had appointed the Hon. *J. Longworth*, the Hon. *J. H. Gray*, the Hon. *A. Laird*, and the Hon. *G. Coles*, a Committee on the part of that House to manage the said Conference.

The said three first mentioned Bills were severally read for the first time.

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

*Resolved*, That a Conference be agreed to, as desired by the House of Assembly, on the amendments made by this House to the Bill intituled “ An Act relating to the fraudulent marking of Merchandize.”

*Ordered*, That the Hon. Mr. *Palmer* and the Hon. Mr. *Beer* be a Committee, on the part of this House, to manage the said Conference, to meet in the Conference Chamber at a quarter to two o'clock this afternoon.

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

*Ordered*, That the Hon. Mr. *Yeo* have leave of absence until Monday next.

A Message was brought from the House of Assembly, by the Hon. *J. C. Pope*, to return the Bill intituled “ An Act to regulate the Inspection of Flour and Meal,” and to acquaint this House that they have agreed to the amendments made by the Legislative Council to the said Bill, without any amendment.

The House was informed that the managers on the part of the House of Assembly, on the subject-matter of the amendments made by this House to the Bill intituled “ An Act relating to the fraudulent marking of Merchandize,” were ready in the Conference Chamber.

The names of the Managers for this House were then called over.

The House was adjourned during pleasure, and their Honors went to the Conference.

Which being ended, the House was resumed, and

The Hon. Mr. *Palmer* reported that the Managers from this House had met the Managers from the House of Assembly, at the Conference, which on their part was managed by the Hon. *John Longworth* and others, who delivered to them a paper containing certain Reasons for disagreeing to the amendments made by this House to the said Bill.

The said Reasons were then read by the Clerk, as follows:

*First*,—Because, as one of the great objects of the proposed Act is to protect the British manufacturer in the legitimate advantages arising from his labour and skill, if the first amendment proposed by the Legislative Council were agreed to, and the clause declaring that sales or contracts for sales made by parties in this Colony should be deemed to be made with a warranty of the genuineness of the Trade mark attached to the article sold, or agreed to be sold, accordingly struck out, the intention of the Statute, to a great extent, would be frustrated.

*Secondly*.—Because the effect of retaining the clause in question, will be to induce traders in the Colony to exercise caution in the selection and purchase of Goods, and thereby, while securing to the consumer the advantages of a sound and good description of commodities for home use and consumption, it will have the direct tendency to protect and encourage the manufactures of those persons who have acquired a just celebrity for the superiority and high qualities of their respective productions.

*Thirdly*.—Because the objections herein before urged against the first amendment made by the Legislative Council, will apply with equal force to the second amendment proposed by that Honorable body, which, if carried out, would have the effect of depriving the manufacturer or producer of an article of the protection which the place of manufacture, as set forth in his trade mark, is calculated to ensure to him.

*Ordered*, That the said Reasons be committed to a Committee of the whole House at the afternoon sitting thereof.

The House then adjourned.

At half past four o'clock in the afternoon the House met.

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act for settling differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms."

After some time the House was resumed, and

The Hon. Mr. *Anderson*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House with an amendment, which he was ready to submit whenever the House would be pleased to receive it.

The Hon. Mr. *McDonald* moved, seconded by the Hon. Mr. *Dingwell*,

That the said Report be not now received, but that the Bill be re-committed to the Committee of the whole House, for the purpose of leaving out the word "fifteen," in folio 8, line 10, and inserting the word "ten" in lieu thereof.

Which being objected to,

The House divided; and the names being called for, they were taken down as follow:

CONTENTS:

The Hon. Mr. *Dingwell*,  
Mr. *Lord*,  
Mr. *McDonald*,  
Mr. *Walker*,—4.

NON-CONTENTS:

The Hon. Mr. *Anderson*,  
Mr. *Beer*,  
Mr. *Goff*,  
Mr. *Henderson*,  
Mr. *McLaren*,  
Mr. *Palmer*,  
Mr. *Ramsay*,—7.

So it passed in the negative.

The Hon. Mr. *Dingwell* then moved, seconded by the Hon. Mr. *Walker*, That the said Bill be re-committed, for the purpose of leaving out so much thereof as relates to Quit Rents and Fishery Reserves.

Which being also objected to,

The House again divided ; and the names being called for, they were taken down as in the last preceding division.

The said amendment was then read by the Clerk as follows :

*Folio 19, line 6.*—After "paid" insert the following section:

" Nothing in this Act contained shall have any force or effect until Her Majesty's pleasure therein shall be known."

The said amendment being read a second time, it was unanimously agreed to.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the Reasons of the House of Assembly for disagreeing to the amendments made by this House to the Bill intitled " An Act relating to the fraudulent marking of Merchandize."

After some time the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had taken the said Reasons into consideration, and had come to a Resolution thereon which he was ready to submit whenever the House would be pleased to receive it.

*Ordered,* That the Report be now received.

The same was then read by the Clerk as follows :

" *Resolved,* That this House do not insist on their amendments to the said Bill."

The Hon. Mr. *McDonald* moved, seconded by the Hon. Mr. *Walker*, That the said Report be amended by leaving out the word "not," in the first line thereof.

The question of concurrence was put thereon ; the House divided, and the names being called for, they were taken down as follow :

CONTENTS :

The Hon. Mr. *Anderson*,  
Mr. *Dingwell*,  
Mr. *Lord*,  
Mr. *McDonald*,  
Mr. *Walker*,—5.

NON-CONTENTS :

The Hon. Mr. *Beer*,  
Mr. *Goff*,  
Mr. *Henderson*,  
Mr. *McLaren*,  
Mr. *Palmer*,  
Mr. *Ramsay*,—6.

So it passed in the negative.

The question of concurrence was then put on the said reported Resolution ; the House divided, and the names being called for, they were taken down as follow :

CONTENTS :

The Hon. Mr. *Beer*,  
Mr. *Goff*,  
Mr. *Henderson*,  
Mr. *McLaren*,

NON-CONTENTS :

The Hon. Mr. *Anderson*,  
Mr. *Dingwell*,  
Mr. *Lord*,  
Mr. *McDonald*,

Mr. Palmer,  
Mr. Ramsay,—6.

Mr. Walker,—5.

So it was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council do not insist on their amendments to the said Bill.

The Hon. Mr. Palmer, from the Select Committee to whom was referred the Bill to carry into effect certain unexecuted agreements made by the late John Hodges Winsloe, Esquire, deceased, for the sale and leasing of certain parts of his estate in this Colony, presented to the House the Report of the said Committee.

*Ordered*, That it be now received.

The same was then read by the Clerk as follows :

Your Committee, to whom was referred the Bill intituled "An Act to carry into effect certain unexecuted agreements made by the late John Hodges Winsloe, Esquire, deceased, for the sale and leasing of certain parts of his estate in this Colony," have respectfully to report, that they have caused notice, in writing, of the purport and object of the said Bill, to be served on Mr. Alfred Winsloe, of Charlottetown Royalty, the Devisee and a party named in the said Bill; also, on the Committee of Mr. John Winsloe, one other of the Devisees and party named in the said Bill; also, on Mrs. Annie E. Winsloe, widow of Mr. Henry Winsloe, deceased, one other of the Devisees in the said Bill named, and also on Mr. Henry James Cundall, the Administrator in this Colony of the estate of the late John Hodges Winsloe, Esquire, deceased. That your Committee, having waited a sufficient time, have not heard anything objectionable to the said Bill becoming law; and on the contrary, from information derived from two of the said parties, your Committee have sufficient reason to believe that the said Bill will not be opposed by any of the said parties, and they therefore, recommend it to the favorable consideration of your honorable House.

That the fees incurred and to be incurred in the passing of the said Bill would amount to about the sum of five pounds; but inasmuch as the necessity for the Bill has arisen from causes beyond the control of the parties interested in its becoming law, your Committee would recommend such fees not to be exacted thereon, although your Committee would not desire such remission of fees to be a precedent in future for similar Bills of a private nature.

EDWARD PALMER,  
ANDREW A. McDONALD,  
A. ANDERSON.

Committee Room, April 27, 1864.

*Ordered*, That the said Report be adopted.

*Ordered*, That the Bill intituled "An Act to carry into effect certain unexecuted Agreements made by the late John Hodges Winsloe, Esquire, deceased, for the sale and leasing of certain parts of his estate in this Colony," be read a second time presently.

The said Bill was then read a second time accordingly.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. Palmer, from the said Committee, reported that they had

gone through the Bill, and had directed him to report the same to the House with certain amendments.

The said amendments being again read by the Clerk, and the question of concurrence put on each, they were severally agreed to.

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

The Bill intituled "An Act to alter the Act for the Trial of Actions in a summary way, and to make certain provisions for the trial of Appeals from Inferior Courts to the Supreme Court of Judicature," was, according to Order, read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Palmer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House with certain amendments.

The said amendments being again read by the Clerk, and the question of concurrence put on each, they were severally agreed to.

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

The Hon. Mr. *Palmer* presented to the House a Bill intituled "An Act in addition to an Act relating to the office of Surrogate and Judge of Probate of Wills, and for granting Letters of Administration."

The said Bill was read for the first time.

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

Then the House adjourned until to-morrow at ten o'clock in the forenoon.

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*Thursday, April 28, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Dingwell*,  
 Mr. *Goff*,  
 Mr. *Henderson*,  
 Mr. *Lord*,

The Hon. Mr. *McDonald*,  
 Mr. *McLaren*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,  
 Mr. *Walker*.

**PRAYERS.**

The Hon. Mr. *Palmer* laid before the House the Auditors' Classification of the Public Accounts, as corrected by those officers.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island" was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Beer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House with several amendments, which he was ready to submit whenever the House would be pleased to receive them.

*Ordered*, That the Report be now received.

The said amendments were then read by the Clerk, as follows :

*Folio 2, line 10*,—Leave out all the words from "January" to "and," in line 12.

*Folio 3, line 6*,—After "Hilary" insert "and," and leave out "and."

*Same folio, line 7*,—Leave out "March."

The said amendments being read a second time, they were severally agreed to.

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

Pursuant to the Order of the Day, the Bill intituled "An Act for settling differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms," was, as amended, read a third time.

And on the question being put whether this Bill, as amended, shall pass ?

The House divided ; and the names being called for, they were taken down as follow :

**CONTENTS :**

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Goff*,  
 Mr. *Henderson*,  
 Mr. *McLaren*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,—7.

**NON-CONTENTS :**

The Hon. Mr. *Dingwell*,  
 Mr. *Lord*,  
 Mr. *McDonald*,  
 Mr. *Walker*,—4.

So it was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill with several amendments, to which they desire the concurrence of the House of Assembly.

Pursuant to the Order of the Day, the Bill intituled "An Act to continue for certain purposes the Land Assessment Act of the Eleventh Victoria, Chapter Seven, and the several Acts in amendment thereof, and for other purposes therein mentioned," was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to consolidate and amend the several Laws imposing an Assessment on all Lands in this Colony, and for the encouragement of Education," was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had taken the Bill into consideration, made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again at the next sitting of this House.

*Ordered*, That the Hon. Mr. *Goff* have leave of absence until Monday next.

The House then adjourned.

At four o'clock in the afternoon the House met.

The House was adjourned during pleasure.

After some time the House met.

His Excellency GEORGE DUNDAS, 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., having come to the Council Chamber, and being seated on the Throne, Mr. President commanded the Gentleman Usher of the Black Rod to let the Assembly know, "It is His Excellency's pleasure they attend him immediately in this House."

Who being come,

Mr. *Roderick McAulay*, Speaker elect, said,

"I have to acquaint your Excellency that the House of Assembly, in the exercise of their right and privilege, have chosen me to be their Speaker, and I humbly trust their election will meet your Excellency's approbation."

The Honorable the President of this House then said :

"Honorable *Roderick McAulay* ;

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

Then His Excellency the Lieutenant Governor was pleased to retire, and the House of Assembly withdrew.

The House was then, according to order, adjourned during pleasure, and gain put into a Committee of the whole on the Bill intituled "An Act to consolidate and amend the several Laws imposing an Assessment on all Lands in this Colony, and for the encouragement of Education."

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had made further progress in the business to them referred, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

A Message was brought from the House of Assembly, by the Hon. *J. C. Pope*, with a Bill intituled "An Act for raising a Revenue," to which they desire the concurrence of this House.

The said Bill was read for the first time.

*Ordered*, That the said Bill be read a second time presently.

A Message was brought from the House of Assembly, by Mr. *McLennan*, with a Bill intituled "An Act to continue certain Acts therein mentioned," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

A Message was brought from the House of Assembly by the Hon. *W. Y. Pope*, with a Bill intituled "An Act in addition to and in extension

and amendment of the Act authorizing a Cash Account to be opened by the Governor in Council with the Bank of Prince Edward Island," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

A Message was brought from the House of Assembly, by the Hon. J. C. Pope, with a Bill intituled "An Act to provide for the payment of certain Debentures," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

Pursuant to the Order of the Day, the Bill intituled "An Act to alter the Act for the trial of Actions in a summary way, and to make certain provisions for the trial of appeals from Inferior Courts to the Supreme Court of Judicature," was read a third time.

The question was put whether this Bill shall pass?

It was resolved in the affirmative.

Pursuant to the Order of the Day, the Bill intituled "An Act to carry into effect certain unexecuted Agreements made by the late John Hodges Winsloe, Esquire, deceased, for the sale and leasing of certain parts of his Estate in this Colony," was read a third time.

The question was put, whether this Bill shall pass?

It was resolved in the affirmative.

*Ordered,* That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed these Bills, to which they desire their concurrence.

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

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. Palmer, from the said Committee, reported that they had taken the Bill into consideration, made some progress therein, and had directed him to ask leave to sit again.

*Ordered,* That the said Committee have leave to sit again to-morrow.

Pursuant to the Order of the Day, the Bill intituled "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," was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Palmer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

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

Then the House adjourned until to-morrow at ten o'clock in the forenoon.

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*Friday, April 29, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Dingwell*,  
 Mr. *Henderson*,

The Hon. Mr. *McDonald*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,  
 Mr. *Walker*.

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act to continue for certain purposes the Land Assessment Act of the Eleventh Victoria, Chapter Seven, and the several Acts in amendment thereof, and for other purposes therein mentioned," was read a third time.

The question was put, whether this Bill shall pass?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill.

The Order of the Day, for the third reading of the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island," being read,

The Hon. Mr. *McDonald* moved, seconded by the Hon. Mr. *Walker*,

That the said Order of the Day be discharged, and that the Title of the said Bill be amended, by striking out "the several," and inserting "Queen's and Prince Counties."

The question of concurrence being put thereon, the same was resolved in the affirmative.

*Ordered*, That the said Bill be amended at the table accordingly, and read a third time presently.

The said Bill, as amended, was read a third time accordingly.

The question was put, whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill, with certain amendments, to which they desire the concurrence of the House of Assembly.

Pursuant to the Order of the Day, the Bill intituled " An Act to continue certain Acts therein mentioned " was read a second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

*Ordered*, That the said Bill be read a third time presently.

The said Bill was then read a third time accordingly.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill without any amendment.

Pursuant to the Order of the Day, the Bill intituled " An Act in addition to and in extension and amendment of the Act authorizing a Cash Account to be opened by the Governor in Council with the Bank of Prince Edward Island " was read a second time.

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

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had taken the Bill into consideration, made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

Pursuant to the Order of the Day, the Bill intituled " An Act to provide for the payment of certain Debentures " was read a second time.

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

The House was then, according to Order, adjourned during pleasure and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *Palmer*, from the said Committee, reported that they had taken the Bill into consideration, made some progress therein, and had directed him to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again to-morrow.

The House then adjourned.

At four o'clock in the afternoon the House met.

Pursuant to the Order of the Day, the Bill intituled "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," was read a third time.

The question was put, whether this Bill shall pass?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill, to which they desire their concurrence.

The House was then, according to Order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act for raising a Revenue."

After some time the House was resumed, and

The Hon. Mr. *Palmer*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House.

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

The House was then, according to order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act to consolidate and amend the several Laws imposing an Assessment on all lands in this Colony, and for the encouragement of Education."

After some time the House was resumed, and

The Hon. Mr. *Walker*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House.

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

The Hon. Mr. *Palmer* moved, seconded by the Hon. Mr. *Beer*,  
That the various Public Despatches now lying on the table of this House  
be referred to a Committee of the whole House to-morrow.

The question of concurrence being put thereon, the same was resolved in  
the affirmative, and

*Ordered* accordingly.

The House then adjourned until to-morrow, at ten o'clock in the  
forenoon.

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*Saturday, April 30, 1864.*

PRESENT :

The Hon. Mr. *Montgomery*, President.

The Hon. Mr. *Anderson*,

The Hon. Mr. *McDonald*,

Mr. *Beer*,

Mr. *McLaren*,

Mr. *Dingwell*,

Mr. *Palmer*,

Mr. *Henderson*,

Mr. *Ramsay*,

Mr. *Lord*,

Mr. *Walker*.

### PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act to consolidate and amend the several Laws imposing an Assessment on all Lands in this Colony, and for the encouragement of Education," was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

Pursuant to the Order of the Day, the Bill intituled "An Act for raising a Revenue" was read a third time.

The question was put, whether this Bill shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed these Bills.

Pursuant to the Order of the Day, the House was adjourned during pleasure, and put into a Committee of the whole on the various Public Despatches laid before this House during the present Session.

After some time the House was resumed, and

The Hon. Mr. *Ramsay*, from the said Committee, reported that they had come to a Resolution, which he was ready to submit whenever the House would be pleased to receive it.

*Ordered*, That the Report be now received.

The said Resolution was then read by the Clerk as follows :

*Resolved*, That your Committee have perused with much interest and deliberation the Despatch of His Grace the Duke of Newcastle, to His Excellency the Lieutenant Governor of this Island, dated the 11th of July, 1863, on the subject of the Land Question of this Island. That although it is fully exhibited in this despatch that Her Majesty's Colonial Minister has given deep and attentive consideration to the subject of the said Land Question, and has, doubtless, been actuated by an earnest solicitude to devise a measure for its settlement; yet it appears to your Committee that while it proposes an unobjectionable and reasonable measure for those tenants who are subject to the largest amounts of accumulated arrears of rent, it acknowledges no merit in or prescribes no distinctive advantage to those tenants who have, by means of their industry and voluntary submission to their legal obligations, paid up large proportions, and still less to those who have paid up the whole of their rents; nor does it propose any remission of the old arrears of rent, which remain a burthen so heavy as to cramp the energies and industry of the poorer class of tenants. That it would appear to your Committee that any attempt to legislate thereon, with the view of removing this or any other objection to any other of the various suggestions it contains, would be quite unavailing, inasmuch as the despatch expressly declares that His Grace "dismisses the idea of imposing on the proprietors, by law, any general rate of commutation;" and that the sales proposed to be effected, under the plan suggested, should "not be compulsory" on the landlords.

Your Committee, however, are disposed to view with more favorable consideration that part which prescribes a Government loan to those tenants who may succeed in effecting a voluntary purchase from their landlords, and regret that the condition of the Colonial finances for the current year, owing to the provision necessarily to be made for the payment and discharge of the Worrell Estate Debentures, to the extent of £19,000, which will become due on the 24th day of December next ensuing, will not, at present, admit of any sufficient sum of money being provided to give effect to any loan measure founded on the suggestions contained in the said despatch, however feasible and desirable that measure may at present appear.

Your Committee, nevertheless, entertain an encouraging hope that, at the next year's sitting of the Legislature, a measure of such a nature may be matured in such terms as may successfully commend itself to a great majority of both proprietors and tenants; and that, in the mean time, the Land Bill, which has already met the sanction of both Branches of the Legislature at the present Session, may become the law of the land, and prove to be acceptable and of great advantage to a large number of the tenantry.

The Hon. Mr. *McDonald* moved, seconded by the Hon. Mr. *Dingwell*,

To amend the said Resolution, by leaving out all the words from "rent," in line 8, to "Your," in line 27.

Which being objected to,

The House divided; and the names being called for, they were taken down as follow :

CONTENTS :

The Hon. Mr. *Dingwell*,  
Mr. *McDonald*,—2.

NON-CONTENTS :

The Hon. Mr. *Anderson*,  
Mr. *Beer*,  
Mr. *Henderson*,  
Mr. *Palmer*,  
Mr. *Ramsay*,—5.

So it passed in the negative.

The question of concurrence being then put on the said reported Resolution, the House again divided, and the names being called for, they were taken down as follow :

## CONTENTS :

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Henderson*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,—5.

## NON-CONTENTS :

The Hon. Mr. *Dingwell*,  
 Mr. *McDonald*—2.

So it was resolved in the affirmative.

The Hon. Mr. *Ramsay* also informed the House that he was directed by the Committee to ask leave to sit again.

*Ordered*, That the said Committee have leave to sit again at the next sitting of this House.

The Hon. the *President* informed the House that it was the intention of His Excellency the Lieutenant Governor, to come down to the Council Chamber, at half past one o'clock this day, for the purpose of giving his assent to the Bill intituled “ An Act for raising a Revenue.”

The House was then adjourned during pleasure.

After some time the House met.

His Excellency GEORGE DUNDAS, 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., having come to the Council Chamber, and being seated, the Gentleman Usher of the Black Rod received His Excellency's commands to let the Assembly know, “ It is His Excellency's will and pleasure they attend him immediately in this House.”

Who being come, with their Speaker ;

The Speaker of the House of Assembly addressed His Excellency as follows :

**MAY IT PLEASE YOUR EXCELLENCY ;**

On behalf of Her Majesty's faithful Commons of Prince Edward Island, I have now to present the following Bill of Aid and Supply, voted to Her Majesty during the present Session, to which I have humbly to request your Excellency's assent, viz :

“ An Act for raising a Revenue.”

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

The House of Assembly having withdrawn, His Excellency was pleased to retire.



A Message was brought from the House of Assembly, by the Hon. *W. H. Pope*, to return the Bill intituled "An Act for the regulation of the Oyster Fisheries in this Island," and to acquaint this House that they have agreed to the amendments made by the Legislative Council to the said Bill without any amendment.

A Message was brought from the House of Assembly, by the Hon. *J. Longworth*, and others, in the following words :

House of Assembly, Saturday, April 30, 1864.

The House of Assembly desire a Conference with the Legislative Council, on the amendments made by the Council to the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island," and have appointed the Hon. *J. Longworth*, the Hon. *J. Hensley*, the Hon. *D. Davies*, and Mr. *John Yeo* a Committee to manage the said Conference.

JOHN McNEILL, C. H. A.

And then they withdrew.

*Resolved*, That a Conference be agreed to, as desired by the House of Assembly, on the amendments made by the Legislative Council to the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island."

*Ordered*, That the Hon. Mr. *Palmer* and the Hon. Mr. *McDonald* be a Committee to meet the Managers on the part of the House of Assembly at the said Conference, said meeting to be held in the Conference Chamber instantler.

*Ordered*, That the Clerk do go down to the House of Assembly and acquaint that House therewith.

The House being informed that the Managers on the part of the House of Assembly, on the subject-matter of the amendments made by this House to the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island," were ready in the Conference Chamber,

The names of the Managers for this House were then called over.

The House was adjourned during pleasure, and their Honors went to the Conference.

Which being ended, the House was resumed, and

The Hon. Mr. *Palmer* reported that the Managers for their Honors had met the Managers for the House of Assembly at the Conference, which, on their part, was managed by the Hon. *John Longworth* and others, who delivered to them the following Reasons for disagreeing to the amendments made by the Legislative Council to the said Bill :

**FIRST.**—Because the alteration of the March Term from the second to the first Tuesday in March, as proposed by the Bill, would enable the Government for the time being to convene the Legislature at an earlier period of the year than it is convenient now to do without incurring the risk of an adjournment.

**SECOND.**—Because the weather is generally more inclement, and the state of travelling consequently worse, in the second than it is in the first week of March, and the contemplated change would therefore prove of advantage to jurors, witnesses, and suitors.

THIRD.—Because the proposed alteration of March Term is made with the view of meeting, to some extent, the suggestions of the Grand Jury of King's County, as set forth in their presentment to the Supreme Court, made on the 13th March, 1861.—See Journals of House of Assembly for 1861, page 62.

JOHN McNEILL, C. H. A.

The House then adjourned.

At half past four o'clock in the afternoon the House met.

A Message was brought from the House of Assembly, by the Hon. J. C. Pope, 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 sixty-four," to which they desire the concurrence of this House.

The said Bill was read for the first time.

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

A Message was brought from the House of Assembly, by the Hon. Mr. Hensley, to return the Bill intituled "An Act to alter the Act for the trial of Actions in a summary way, and to make certain provisions for the trial of Appeals from Inferior Courts to the Supreme Court of Judicature," and to acquaint this House that they have passed the said Bill with several amendments, to which they desire the concurrence of this House.

The said amendments were then read by the Clerk, as follow :

*Folio 1, line 8*,—Strike out all from "Whereas" to "thereof," in line 12, both inclusive.

*Same folio, line 13*,—Strike out "therefore."

*Same folio, line 15*,—Strike out all from "from" to "Act," in fol. 3, line 13, all inclusive.

*Folio 4, line 6*,—After "day" insert the following clause :

"No other plea than the general issue shall be required or allowed in summary cases, and the defendant shall be entitled to set up and give in evidence any defence under it."

*Folio 4, line 13*,—Strike out "filled," and insert "filed."

*Same folio, line 15*,—Strike out "nor," and insert "or."

*Folio 6, line 8*,—Strike out "making," and insert "marking."

*Folio 7, line 4*,—Strike out "retaining," and insert "returning."

At the end, insert the following clauses :

"This Act shall not extend to or in any manner affect pending suits."

"This Act shall come into force immediately after the passing thereof."

*In the Title*,—After "make," in line 3, strike out the residue of the title, and insert "other provisions relative to the return of Writs issued out of the Supreme Court of Judicature."

*Ordered*, That the said amendments be read a second time on Monday next.

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the various Public Despatches laid before this House during the present Session.

After some time the House was resumed, and  
The Hon. Mr. *Ramsay*, from the said Committee, reported that they had come to two Resolutions, which he was ready to submit whenever the House would be pleased to receive them.

*Ordered*, That the Report be now received.

The first of the said Resolutions was then read by the Clerk, as follows :

*Resolved*, That, in the opinion of this Committee, it is expedient that His Excellency should appoint delegates—not to exceed five in number—to meet and confer with the delegates appointed by the Governments of Nova Scotia and New Brunswick, on the advisability or otherwise of a Union of the Maritime British North American Colonies.—such delegates to report to the Legislature, at its next Session, the result of such Conference before adopting any further measures towards such proposed Union.

A motion being made,

That the said reported Resolution be adopted by this House,

The Hon. Mr. *McDonald* moved, seconded by the Hon. Mr. *Walker*,—

To amend the said reported Resolution, by striking out all after the word “That,” in the first line thereof, and substituting the following :

“A Legislative Union of the Maritime or Lower Provinces is not desired by the inhabitants of this Island, and would not be of any benefit to this Colony, and it is therefore unnecessary for this Government to send delegates to confer with those appointed by Nova Scotia and New Brunswick, for the purpose of arranging such preliminaries as may be considered necessary for the Union of the three Provinces under one Government and Legislature; and it is further inexpedient to send any delegation to confer on this question, as such a course of action might be interpreted into an approval of such a Union.”

The Hon. Mr. *Palmer* moved, seconded by the Hon. Mr. *Beer*,

That the Hon. Mr. *McDonald* have leave to withdraw the said proposed amendment.

Which being objected to on the ground of irregularity ;

And an appeal being made to the House ;

The question was put, whether this motion shall be now put ?

The House divided ; and the names being called for, they were taken down as follow :

CONTENTS :

The Hon. Mr. *Anderson*,  
Mr. *Beer*,  
Mr. *Henderson*,  
Mr. *McLaren*,  
Mr. *Palmer*,  
Mr. *Ramsay*,—6

NON-CONTENTS :

The Hon. Mr. *Dingwell*,  
Mr. *Lord*,  
Mr. *McDonald*,  
Mr. *Walker*,—4.

So it was resolved in the affirmative.

The question being then put,

That the said proposed amendment be withdrawn ;

The House again divided ; and the names being called for, they were taken down as follow :

## CONTENTS :

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Henderson*,  
 Mr. *McLaren*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,—6.

## NON-CONTENTS :

The Hon. Mr. *Dingwell*,  
 Mr. *Lord*,  
 Mr. *McDonald*,  
 Mr. *Walker*,—4.

So it was resolved in the affirmative, and  
*Ordered*, accordingly.

The main question was then put, the House divided, and the names being called for, they were taken down as follow :

## CONTENTS :

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Henderson*,  
 Mr. *McLaren*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,—6.

## NON-CONTENTS :

The Hon. Mr. *Dingwell*,  
 Mr. *Lord*,  
 Mr. *McDonald*,  
 Mr. *Walker*,—4.

So it was resolved in the affirmative.

The second of the said reported Resolutions was then read by the Clerk as follows :

" WHEREAS, this House did, in its last Session, pass a Bill intituled " An Act to incorporate the Grand Orange Lodge of P. E. Island, and the Subordinate Lodges in connection therewith," which Act His Grace the Duke of Newcastle has, for reasons set forth in his Despatch of the 26th of September last, refused to submit for Her Majesty's approbation : And whereas Orange Societies are perfectly legal Institutions in this Colony, the members whereof have invariably conducted themselves as loyal, industrious, and peaceable citizens, and who, in the Act alluded to, merely sought to be placed on a footing of equality, as respects the management of their monetary affairs, with other incorporated associations and institutions : And whereas this Colony, possesses the right, now universally accorded to the Colonies of British North America, of managing their own local affairs, and to pass all laws necessary for the good government thereof: *Resolved*, therefore, That, whilst carefully abstaining from any expression of opinion as to whether Orange Societies are or are not calculated (if not actually intended) to embitter religious and political differences, this Legislative Council, nevertheless, feels called upon to express its regret that the privilege which self-government is supposed to have conferred on the people of this Colony, in respect to its local affairs, should have been disregarded by the course which His Grace the Duke of Newcastle has felt himself called upon to adopt with respect to the said Bill."

A motion being made,

That the said Resolution be adopted by this House.

The Hon. Mr. *McDonald* moved, seconded by the Hon. Mr. *Dingwell*,

That all after " Whereas," in the first line of the said reported Resolution, be left out and the following substituted :

" This House admits the constitutional right of the Legislature to make and ordain such laws for the public peace, welfare, and good government of this Island, and of the inhabitants thereof, as may be found necessary for the public welfare ; but as His Grace the Duke of New-

castle, in his Despatch notifying His Excellency that he could not submit the Act incorporating the Orange Societies of this Island for Her Majesty's consent, for the reason that in his opinion such institutions are calculated (if not actually intended) to embitter religious and political differences, and which must be detrimental to the best interests of any Colony in which they exist: *Therefore, Resolved*, That our constitutional rights have not been interfered with by the rejection of the said Bill; no similar Bill having been passed by the Parliament of Great Britain, or by any Colonial Legislature."

Which being objected to,

The question of concurrence was put thereon, the House divided, and the names being called for, they were taken down as follow :

CONTENTS :

The Hon. Mr. *Dingwell*,  
 Mr. *Lord*,  
 Mr. *McDonald*,  
 Mr. *Walker*,—4.

NON-CONTENTS :

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Henderson*,  
 Mr. *McLaren*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,—6.

So it passed in the negative.

The question being then put on the main motion, the House again divided, and the names being called for, they were taken down as follow :

CONTENTS :

The Hon. Mr. *Anderson*,  
 Mr. *Beer*,  
 Mr. *Henderson*,  
 Mr. *McLaren*,  
 Mr. *Palmer*,  
 Mr. *Ramsay*,—5.

NON-CONTENTS :

The Hon. Mr. *Dingwell*,  
 Mr. *Lord*,  
 Mr. *McDonald*,  
 Mr. *Walker*,—4.

So it was resolved in the affirmative.

The Reasons given by the House of Assembly for disagreeing to the amendments made by this House to the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island," having been again read by the Clerk ;

It was moved by the Hon. Mr. *Palmer*, seconded by the Hon. Mr. *Anderson*,

That this House do insist on their amendments to the said Bill.

*Ordered*, That the Hon. Mr. *Palmer* and the Hon. Mr. *Beer* be a Committee to draw up Reasons, to be offered to the House of Assembly, at another Conference, for insisting on the said amendments.

The Hon. Mr. *Palmer*, from the said Committee, then presented to the House their Report.

The said Report was then read by the Clerk as follows :

Because the period now established for holding the March Term of the Supreme Court, at Georgetown, is, in the estimation of this House, a season more likely to ensure good weather

To hold it a week earlier, would be likely to be more impeded by heavy snow storms and intense cold; while the establishing a period one week later, would create a necessity for travelling when the roads have become soft and often very bare of snow.

Further, the Legislative Council do not perceive that the holding of the Georgetown Term one week earlier in March would dispense with the necessity of convening the Legislature during the previous month, as the time for this purpose must always, in future as heretofore, depend upon the amount of legislative business and the special circumstances of the case; nor does it appear to the Legislative Council why the sitting of the Supreme Court at Georgetown should, as a rule, require the adjournment of the Legislature.

*Ordered*, That the said Report be adopted.

*Resolved*, That a further Conference be desired with the House of Assembly, on the subject-matter of the said amendments.

*Ordered*, That the same Committee who managed the last Conference thereon be a Committee to manage this further Conference, to meet in the Conference Chamber, on Monday next, at 12 o'clock, noon.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint them therewith.

*Resolved*, That a Committee be appointed, to examine and report on the Contingent expenses of the present Session.

*Ordered*, That the Hon. Mr. Palmer, the Hon. Mr. Lord, and the Hon. Mr. Beer do compose the said Committee.

The Council then adjourned until Monday next, at 12 o'clock in the forenoon.

*Monday, May 2, 1864.*

PRESENT :

The Hon. Mr. Montgomery, President.

The Hon. Mr. Anderson,

The Hon. Mr. McLaren,

Mr. Beer,

Mr. Palmer,

Mr. Dingwell,

Mr. Ramsay,

Mr. Henderson,

Mr. Walker,

Mr. Lord,

Mr. Yeo,

Mr. McDonald.

## PRAYERS.

The amendments made by the House of Assembly to the Bill intituled "An Act to alter the Act for the trial of actions in a summary way, and to make certain provisions for the trial of appeals from Inferior Courts to the Supreme Court of Judicature," were, according to Order, read a second and a third time; and the question of concurrence being put on each, they were severally agreed to.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have agreed to their amendments to the said Bill, without any amendment.

The House was then, according to Order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act to provide for the payment of certain Debentures."

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House.

*Ordered*, That the said Bill be read a third time presently.

The said Bill was read a third time accordingly.

The question was then put, whether this Bill shall pass?

It was resolved in the affirmative.

The House was then, according to Order, adjourned during pleasure, and again put into a Committee of the whole on the Bill intituled "An Act in addition to and in extension and amendment of the Act authorizing a Cash Account to be opened by the Governor in Council with the Bank of Prince Edward Island."

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House.

*Ordered*, That the said Bill be read a third time presently.

The said Bill was read a third time accordingly.

The question was put, whether this Bill shall pass?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed these Bills.

A Message was brought from the House of Assembly, by the Hon. J. *Longworth*, to return the Bill intituled "An Act for settling differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms," and to acquaint this House that they have agreed to the amendment made by the Legislative Council to the said Bill, without any amendment.

Also, to acquaint this House that the House of Assembly have passed a Bill intituled "An Act to enable John Robinson to obtain Letters Patent," to which they desire the concurrence of this House.

The said last mentioned Bill was then read for the first and second time.

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

The House was then, according to Order, adjourned during pleasure, and put into a Committee of the whole on the said Bill.

After some time the House was resumed, and

The Hon. Mr. *McDonald*, from the said Committee, reported that they had gone through the Bill, and had directed him to report the same to the House, with an amendment, which he was ready to submit whenever the House would be pleased to receive it.

*Ordered*, That the Report be now received.

The said amendment was then read by the Clerk, as follow :

*Folio 10. line 7.*—Leave out "fourteen," and insert "ten."

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

*Ordered*, That the said amendment be engrossed, and the Bill, as amended, read a third time presently.

The said Bill, as amended, was read a third time accordingly.

The question was put, whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

*Ordered*, That the Clerk do go down to the House of Assembly, and acquaint that House that the Legislative Council have passed this Bill, with an amendment, to which they desire the concurrence of the House of Assembly.

A Message was brought from the House of Assembly, by the Hon. *J. Longworth*, and others, in the following words :

House of Assembly, Monday, May 2, 1864.

The House of Assembly do agree to a further Conference, as is desired by the Legislative Council, on the amendments made by the Legislative Council to the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island," and have appointed the same Committee who managed the former Conference thereon, a Committee to manage this further Conference.

JOHN McNEILL, C. H. A.

And then they withdrew.

The House being informed that the Managers on the part of the House of Assembly, on the subject-matter of the amendments made by this House to the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island," were ready in the Conference Chamber.

The names of the Managers for this House were then called over.

The House was adjourned during pleasure, and their Honors went to the Conference.

Which being ended, the House was resumed, and

The Hon. Mr. *Palmer* reported that the Managers for their Honors had met the Managers for the House of Assembly at this further Conference, which, on their part, was managed by the Hon. *J. Longworth* and others, and that they had complied with the instructions given them by this House.

The Hon. the *President* informed the House that it was the intention of His Excellency the Lieutenant Governor, to prorogue the present Session of the Legislature this day, at five o'clock in the afternoon.



A Message was brought from the House of Assembly, by the Hon. J. Longworth and others, in the following words:

House of Assembly, Monday, May 2, 1864.

The House of Assembly desire a Free Conference with the Legislative Council, on the amendments made to the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island; and have appointed the same Committee who managed the former Conferences thereon, a Committee to manage this Free Conference.

JOHN McNEILL, C. H. A.

And then they withdrew.

*Resolved*, That a Free Conference be agreed to, as desired by the House of Assembly, on the amendments made to the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island."

*Ordered*, That the same Committee who managed the former Conferences thereon be a Committee to manage this Free Conference, to meet in the Conference Chamber this afternoon, at one o'clock.

*Ordered*, That the Clerk do go down to the House of Assembly and acquaint that House therewith.

The House being informed that the Managers on the part of the House of Assembly, on the subject-matter of the amendments made by this House to the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island," were ready in the Conference Chamber;

The names of the Managers for this House were then called over.

The House was adjourned during pleasure, and their Honors went to the Conference.

Which being ended, the House was resumed, and

The Hon. Mr. Palmer reported that the Managers for their Honors had met the Managers for the House of Assembly, at this Free Conference, who had delivered to them the following Resolution:

*Resolved*. That this House do adhere to the Bill intituled "An Act to alter the time for holding certain Terms of the Supreme Court in the several Counties in this Island," as originally passed by this House, and disagree to the amendments made by the Legislative Council therein.

The Hon. Mr. Beer, from the Select Committee appointed to examine and report on the Contingent Accounts of the present Session, presented their Report.

*Ordered*, That the Report be now received, and

The same was then read by the Clerk.

*Ordered*, That the said Report be committed to a Committee of the whole House presently.

The House was then, according to order, adjourned during pleasure, and put into a Committee of the whole on the said Report.

After some time the House was resumed, and The Hon. Mr. *Beer*, from the said Committee, reported that they had gone through the Report of the Select Committee, paragraph by paragraph, had amended and then adopted the same, and had directed him to report the same to the House whenever it would be pleased to receive it.

*Ordered*, That the Report be now received, and The same was then read by the Clerk as follows :

The Select Committee appointed to examine and report on the Contingent Accounts of the Present Session have to report, that they have examined the same, and recommend that they be allowed as follow :

The Clerk of the Legislative Council, for stationery, printing, and sundry disbursements,	£151	9	11½
Rev. D. FitzGerald, Chaplain,	30	0	0
Robert Hyndman, Esq., Usher of the Black Rod and Sergeant-at-Arms,	25	0	0
James Ramsay, Esq., Reporter, (one half to be paid immediately, and the balance on the Certificate of the Hon. Mr. <i>Palmer</i> and the Hon. Mr. <i>Beer</i> , that the said Reports have been completed,)	75	0	0
William C. Trowan, Messenger, (including his small disbursements account,)	87	18	7
John Scott, Doorkeeper,	18	5	0
Frederick W. Hughes, a sum sufficient to pay him for printing the Journal of the present Session, agreeably to his contract,—one half to be paid at the end of the Session, and the balance on the Certificate of the Committee appointed to revise the Journal.			

*Ordered*, That the said Report be adopted.

The House then adjourned.

At four o'clock in the afternoon the House met.

A Message was brought from the House of Assembly, by the Hon. *W. H. Pope*, to return the Bill intituled "An Act to enable John Robinson to obtain Letters Patent," and to acquaint this House that they have agreed to the amendment made by the Legislative Council to the said Bill, without any amendment.

The House was then adjourned during pleasure.

After some time the House was resumed, and

His Excellency GEORGE DUNDAS, 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., having come to the Council Chamber, and being seated, the Gentleman Usher of the Black Rod received His Excellency's commands to let the Assembly know, "It is His Excellency's will and pleasure they attend him immediately in this House."

Who being come, with their Speaker ;

The Clerk of this House read the titles of the Bills to be passed severally as follow :

An Act relating to the office of Commander-in-Chief.

An Act relating to the fraudulent marking of Merchandize.

An Act to amend the Law relating to Bills of Exchange and Promissory Notes.

An Act for the establishment of a Bank for Savings in Prince Edward Island.

An Act to amend the Act to regulate the Specie Currency of Prince Edward Island.

An Act to amend the Act intituled "An Act to change the Constitution of the Legislative Council, by rendering the same elective."

An Act to incorporate the Minister and Trustees of the Presbyterian Church at Valleyfield, Township Number Fifty-seven.

An Act to incorporate Saint George's Lodge, Number Eight hundred and sixty-six, of Free and Accepted Masons of Georgetown, in Prince Edward Island.

An Act to continue and amend the Act of Incorporation of the Bank of Prince Edward Island.

An Act to amend the Act intituled "An Act to incorporate the Union Bank of Prince Edward Island."

An Act to provide for the establishment of a Marine Court of Enquiry.

An Act in addition to the Act to extend the Criminal jurisdiction of the Police Court in the City of Charlottetown.

An Act relating to Partridges, or Tree Grouse, and to repeal certain portions of the several Acts therein mentioned.

An Act in addition to the Act to incorporate the Town of Charlottetown.

An Act to incorporate the Grand and Subordinate Temples of the Independent Order of Good Templars of Prince Edward Island.

An Act to amend the Act of the Third year of King William the Fourth, Chapter Twenty, respecting the Church of England in this Island.

An Act to alter and amend the Act for facilitating the partition of Lands held by persons as Joint Tenants, Co-parceners, or Tenants in common.

An Act for the regulation of the Oyster Fisheries in this Island.

An Act to amend the Act now in force for the relief of Insolvent Debtors.

An Act to facilitate proceedings in Suits in the Court of Chancery in cases where the Defendants, or any of them, shall be absent from this Island.

An Act to revive and continue the Act intituled "An Act to regulate the Fisheries of this Island."

An Act to authorize the establishment of certain additional Small Debt Courts in this Island.

An Act to regulate the Inspection of Flour and Meal.

An Act in addition to the Act to require Clergymen, and others authorized to solemnize Marriages, to return Certificates thereof to the Surrogate of the Island, and to require Clergymen to keep a Record of Baptisms.

An Act for settling differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the fee-simple of their Farms.

An Act for the Incorporation of the Prince Edward Island Steam Navigation Company.

An Act to alter the Act for the trial of actions in a summary way, and to make other provisions relative to the return of Writs issued out of the Supreme Court of Judicature.

An Act relating to Steam Communication between Charlottetown and certain parts of the Hillsborough and Elliot Rivers, and to repeal a certain Act therein mentioned.

An Act to prevent the running at large of Horses, Neat Cattle, Swine, Sheep, and Geese in Saint Eleanor's.

An Act to continue certain Acts therein mentioned.

An Act to enable John Robinson to obtain Letters Patent for the invention of a new mode of constructing Ships and Vessels.

Assent to these Bills was severally pronounced by His Excellency the Lieutenant Governor in the words following :

"In Her Majesty's name I assent to this Bill."

The Speaker of the House of Assembly addressed His Excellency as follows :

MAY IT PLEASE YOUR EXCELLENCY ;

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 humbly to request your Excellency's assent, viz :

An Act in further amendment of the Laws relating to Education, and also to explain and amend the Act relating to the establishment of the Prince of Wales' College.

An Act to continue for certain purposes the Land Assessment Act of the Eleventh Victoria, Chapter Seven, and the several Acts in amendment thereof, and for other purposes therein mentioned.

An Act to consolidate and amend the several Laws imposing an Assessment on all Lands in this Colony, and for the encouragement of Education.

An Act in addition to and in extension and amendment of the Act authorizing a Cash Account to be opened by the Governor in Council with the Bank of Prince Edward Island.

An Act to provide for the payment of certain Debentures.

An Act for appropriating certain Moneys therein mentioned, for the service of the year of Our Lord One thousand eight hundred and sixty-four.

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

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

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

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

I thank you for the attention which you have given to the various subjects which, at the opening of this Session, I recommended to your especial consideration, and also for the labor which you have bestowed on the general business of the Province.

I have forwarded to the Secretary of State for the Colonies your congratulatory Addresses to Her Majesty the Queen and to His Royal Highness the Prince of Wales, on the occasion of the birth of His Royal Highness Prince Albert Victor of Wales.

It will afford me great satisfaction to transmit, for the consideration of the Colonial Minister, the Act which you have passed for settling differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the fee simple of their farms.

This Act contains much which is calculated to ameliorate the condition of the Tenantry affected by it. I trust its terms are such as will receive the sanction of Her Majesty's Government.

I am glad to observe, among the numerous enactments to which I have just given my assent, "An Act for the establishment of a Bank for Savings." I confidently hope that the people throughout the Island will hasten to avail themselves of the advantages which it offers.

The Delegates whom, in conformity with your Resolution, I shall proceed to appoint, for the purpose of discussing the expediency of a Union of the Provinces of Nova Scotia, New Brunswick, and Prince Edward Is-

land, will, I am confident, enter upon the duties committed to them with a full sense of the importance of their office.

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

In Her Majesty's name, I thank you for the Supplies which you have granted for the Public Service.

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

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

The deep interest which His Grace the Duke of Newcastle has taken in this Colony will cause you to hear with regret that His Grace has retired from the Colonial Department of Her Majesty's Government.

I rejoice that I am now able to release you from further attendance here by proroguing this General Assembly.

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 Seventh day of June next~~; and this General Assembly is accordingly prorogued until Tuesday the Seventh day of June next, to be then here holden.

**J. BARRETT COOPER,**  
Clerk of the Legislative Council.

*Friday 27 May*

**APPENDIX**

**TO**

**THE JOURNAL**

**OF THE**

**LEGISLATIVE COUNCIL**

**OF**

**PRINCE EDWARD ISLAND,**

**FOR THE SESSION COMMENCING THE SIXTEENTH DAY OF MARCH,  
AND ENDING ON THE SECOND DAY OF MAY,**

**1864.**

PLANTIA

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# APPENDIX No. 1.

(Vide Page 10.)

## Report of the Medical Attendant of the Lunatic Asylum.

CHARLOTTETOWN, January 31st, 1864.

### GENTLEMEN ;

In compliance with the requirements of my annual duties, I have the honor to furnish to your Board the accompanying report, being a Statistical view of the results of our operations in the Asylum for the Insane, for the year ending January 31st, 1864.

The number of patients remaining at last Report was fourteen males and seven females, amounting in all to twenty-one.

There have been admitted during the last twelve months eight males and three females, making a total under treatment of thirty-two. The number discharged has been eight, viz.; five males and three females.

During the past year two deaths have occurred among the Lunatics, viz.; one in a female from Pulmonary Consumption, and another in a man from an Epileptic seizure.

The unimproved Chronic cases amount to five; eight have improved, eleven much improved, and six have regained their reason; while twenty-four yet remain under treatment.

Among the Paupers, four deaths have occurred, viz.; one an old man aged 80, from Cerebral Plethora, another aged 66, from Bronchitic Consumption; and, in 2 others death was occasioned by Epileptic attacks. Only four paupers now remain.

We have still to deplore the tardiness with which Lunatic patients are forwarded to the Asylum. When the seizure exceeds in duration a period of upwards of twelve months, the malady frequently becomes chronic and complicated, and the remedial measures adopted uncertain in their results. Thus of six cases admitted during the past year, the following are the durations of their attacks, viz: one of two years; three cases of four years each; one of five years; and another of forty-two years standing.

In many such cases, from inattention or ignorance of the nature of Insanity, the unfortunate sufferers become chargeable to their friends or the country for life; whereas by prompt attention to the first invasion of the attack, the diseases of the mind are found to be almost as amenable to proper treatment as those of the body.

We have to regret the limited accommodations for our paying patients or boarders, as every bedroom in the Hospital is in occupation, and the first applicant who makes his appeal for Hospital relief must of necessity be thrust into the cellar.

We continue to suffer the disadvantages connected with a building most faulty in its original construction, and limited in its dimensions, and it is no trifling grievance to find that while the neighboring Provinces have erected palatial structures for their Insane, and continue every few years to expend thousands in their amplification, we must find accommodation for our sufferers in the regions under ground. On several occasions our Asylum has been visited by Medical Superintendents of large Hospitals, and the system of lodging patients in the cellar has by them been reprobated in no measured terms.

As a means of directing the attention of our Representatives to our limited accommodation, I beg to quote the following proposition, made by a meeting of the Association of Medical Superintendants of all the American Asylums for the Insane, held at Philadelphia in May, 1851. It is this—"That no apartment should ever be provided for the confinement of Lunatic Patients, or as their Lodging Rooms, that are not entirely above ground."

The Hospital, though thus limited, continues in a state of thorough repair. Several improvements have been adopted during the past year, with respect to the comfort and classification of the patients.

But as our numbers increase, we find that our principal attendant on the male Lunatics has to perform more than double duty; having to serve and wait upon seventeen male Lunatics and four Paupers, instead of ten, the usual authorized number for one person, and as the work is not a little onerous, this of course demands an additional assistant.

As nothing of further importance has occurred during the year, I herewith respectfully submit to the consideration of your Board this my Fourteenth Annual Report.

I have the honor to be, Gentlemen,

Your obedient servant,

JOHN MACKIESON.

The Board of Trustees, Lunatic Asylum.

APPENDIX No. 1 (continued.)

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**FOURTEENTH ANNUAL REPORT**

OF THE

**Medical Superintendent of the Lunatic Asylum,**

*For the Year 1863.*

# FOURTEENTH ANNUAL REPORT:

Exhibiting in a Tabular Form the Admissions, Discharges, Insanity under treatment in the

forms of Disease, and Remedial Results of the Cases of Asylum near Charlottetown.

NAMES.	SEX.		AGE.	BIRTH PLACE.	OCCUPATION.	CIVIL CON-DITION.		HOW LONG INSANE.	PROBABLE CAUSE OF DISEASE.
	Males	Females				Years	Single.		
Marin Pino	1		41	P. E. Island	Farmer	1		25 years	Hereditary
Alex. Finlayson	1		72	Scotland	Farmer	1		42 "	Blow on the head
John McPhee	1		45	P. E. Island	Farmer	1		14 "	Disputed property
David Bryde	1		44	Ireland	Shoemaker	1		12 "	Inebriation
Margaret Ferguson		1	41	P. E. Island	Spinster	1		22 "	Disappointed love
William Blatch	1		64	England	Farmer	1		30 "	Hereditary
Allan McSwain	1		31	P. E. Island	Farmer	1		10 "	Heats and colds
William Donovan	1		46	Ireland	Shoemaker	1		9 "	Intemperance
Christiana Brown		1	64	Scotland	Farmer's wife		1	16 "	Unknown
Ann McKenna		1	42	Ireland	Spinster	1		8 "	Family disputes
Margaret McCarthy		1	48	P. E. Island	Spinster	1		26 "	Hereditary
Roderick McLeod	1		28	Scotland	Farmer	1		16 "	Blow on the head
Arthur Woods	1		52	Ireland	Labourer	1		23 "	Unknown
John Reid	1		57	Ireland	Cooper	1		7 "	Unknown
Catherine Murphy		1	74	Ireland	Spinster	1		65 "	Congenital.
Donald McCormack	1		36	P. E. Island	Farmer	1		4 "	Disappointed love
Margaret Nicholson		1	32	P. E. Island	Idiotic	1		32 "	Congenital.
Simon Murchison	1		47	P. E. Island	Shipwright	1		3 "	Hereditary.
Margaret Johnston		1	32	P. E. Island	Shoemaker's w.		1	2 "	Dipsomania
James Conolly	1		51	Ireland	Farmer	1		2 "	Imprisonment
Malcolm McDonald	1		54	P. E. Island	Farmer	1		17 "	Unknown
Edward Austin	1		21	P. E. Island	Farmer	1		14 days	Alcoholism
John Hawkins	1		18	P. E. Island	Clerk	1		1 "	Vice
Jane Mitchel		1	47	P. E. Island	Spinster	1		3 months	Despair of mind
Charles Brennan	1		60	Ireland	Labourer	1		3 years	Destitution
Letitia Snellgrove		1	20	P. E. Island	Spinster	1		4 "	Family troubles
Mary Sencebaugh		1	35	P. E. Island	Spinster	1		4 "	Misfortune
William Hillman	1		75	Nova Scotia	Carpenter	1		5 "	Reverse of fortune
John McCarty	1		42	P. E. Island	Imbecile	1		42 "	Hereditary
Andrew Brown	1		31	P. E. Island	Shipwright	1		4 "	Unknown
Robert Orchard	1		60	England	Fisherman	1		1 "	Unknown
Peter Martin	1		25	Ireland	Printer	1		2 "	Vicious habits
	22	10	32			25		7	

FAVORITE PURSUIT OR HOBBY.	FORM OF MENTAL DISEASE.	SUBJECT TO WHAT OTHER DISEASES.	WHEN ADMITTED.	WHEN DISCHARGED.	Died	Unimproved	Improved	Much improved	Recovered	Remaining
Wants to get home	Mania Furibundi	Epileptic fits	Dec. 2, 1850					1	1	1
Chewing tobacco	Amentia		Mr. 27, 1849			1				1
Indolent	Polymania mitis		Mar. 5, 1852			1				1
Talking, &c.	Pantomania		Ap. 26, 1852				1			1
Indolent	Mania Iracunda		May 26, 1852				1			1
Castle building	Polymania mitis		Dec. 5, 1853				1			1
Marching	Polymania mitis	Epilepsy	Mr. 16, 1854				1			1
Indolent	Dementia		Dec. 27, 1854			1				1
Indolent	Polymania mitis	Gastrodynia	June 9, 1855				1			1
Sewing & knitting	Moral insanity	Chronic hipoti-tis	Jan. 23, 1856						1	
Scrubbing, &c.	Amentia	Phthisis pul-monalis	Feb. 24, 1857	Feb. 4, 1863	1					
Reading	Mania Furibundi	Epilepsia	Ap. 11, 1857	Jan. 18, 1864	1					1
Indolent	Mania mitis		Ap. 23, 1858				1			1
Indolent	Hypochondriasis		July 14, 1858					1		1
Knitting, &c.	Moral insanity		Dec 21, 1858				1			1
Talking & cursing	Mania Iracunda		July 13, 1859				1			1
Helpless	Amentia	Dumb	Nov. 29, 1860					1		1
Sawing wood, &c.	Polymania mitis		Feb. 20, 1861					1		1
Talking & singing	Mania a potu		Aug. 30, 1861	Mar. 2, 1863					1	
Indolent	Melancholia tran-quilla		Jun. 13, 1862					1		1
Indolent	Mania mitis		Oct. 30, 1862	Ap. 10, 1863					1	
Singing, &c.	Mania mitis		Feb. 12, 1863					1		1
Reading & writing	Mania mitis		Mar. 9, 1863	Oct. 8, 1863					1	
Desponding	Melancholia agitata		Mr. 24, 1863	Oct. 2, 1863					1	
Lying in bed	Hypochondriasis		Jan. 14, 1863	Ap. 16, 1863					1	
Indolent	Amentia tran-quilla		May 18, 1863					1		1
Indolent	Polymania Furi-bundi		June 9, 1863					1		1
Desponding	Melancholia Tre-mebunda		Aug. 15, '63					1		1
Indolent	Amentia Con-gevita		Apr. 7, 1863				1			1
Reading	Polymania mitis		Nov 21, 1863					1		1
Talking, &c	Moral insanity		Jan. 7, 1864					1		1
	Melancholia Agitata		Jan. 7, 1864	Eloped, Jan. 11, 1864				1		
	32			8		2	5	8	11	6

## PAUPERS.

NAMES.	SEX.		AGE.	BIRTH PLACE.	OCCUPATION.	MARRIAGE.		DISEASE.	ADMITTED.	DISCHARGED.	STATUS.		REMARKS.
	MALE.	FEMALE.				SINGLE.	MARRIED.				DIED.	REMAINING.	
William Mesgher	1		88	Ireland	Sawyer		1	Amaurosis	June 26, '48	Sept. 8, 1863	1		Died of Cerebral Plethora.
William Brennan	1		66	England	Labourer	1		Hernia	Nov. 16, '52	July 28, '63	1		Died of Bronchitic Consumption.
Charles Hogan	1		43	Ireland	Labourer	1		Epilepsy	June 1, '55	Oct. 30, '63	1		Died of an Epileptic seizure.
William Kenny	1		65	Ireland	Labourer	1		Lame	Oct. 6, 1856				Lame from neglected dislocation of the thigh.
John Ashworth	1		84	England	Mariner	1		Helpless	June 18, '57				Superannuated, and subject to Bronchitis
John Campbell	1		82	U. States	Mariner	1		Lame	April 23, '58				Lame from frost bite.
John Sullivan	1		47	Ireland	Labourer	1		Rheumatism	July 4, 1859	July 17, '63	1		Died from Epileptic fits.
Ch'pher Cassidy	1		66	Ireland	Labourer	1		Rheumatism	Jan. 23, 1860				Lame from Chronic Rheumatism.
	8					5	3		8	4	4		

J. MACKIESON, Medical Superintendent.

## APPENDIX No. 2.

(Vide Page 11.)

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(COPY.)

No. 17.

DOWNING STREET, 13th May, 1863.

SIR;

I have the honor to acknowledge the receipt of your Despatch, No. 41, of the 27th of April, and to request that you will inform the Legislative Council and House of Assembly of Prince Edward Island, that the Address which you enclosed in that Despatch has been laid before the Queen, and that Her Majesty was much gratified by the expressions which it contained of loyalty and attachment to Her Throne and Person.

I have, &c., &c., &c.,

(Signed)

NEWCASTLE.

Lieut. Governor Dundas, &c., &c.

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(COPY.)

No. 16.

DOWNING STREET, 13th May, 1863.

SIR;

I have the honor to acknowledge the receipt of your Despatch, No. 42, of the 27th of April, and to acquaint you that the Address to the Prince of Wales, from the Legislative Council and House of Assembly of Prince Edward Island, which you enclosed, has been forwarded to Lieut. General Knollys, in order that it may be submitted to His Royal Highness.

I have, &c., &c., &c.,

(Signed)

NEWCASTLE.

Lieut. Governor Dundas, &c., &c.

(COPY.)

**Prince Edward Island.**

DOWNING STREET, 15th January, 1864.

SIR;

It is my pleasing duty to announce to you that on the evening of the 8th instant, at two minutes before nine o'clock, Her Royal Highness the Princess of Wales was happily delivered of a Prince, to the great joy of the Nation, and of all the Royal Family. Her Royal Highness and the Infant Prince have, through Divine Mercy, continued to do well up to the present time.

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

NEWCASTLE.

Lieut. Governor Dudas, &amp;c., &amp;c., &amp;c.

(COPY.)

No. 24.

DOWNING STREET, 11th July, 1863.

SIR;

I have received your Despatch, No. 34, of the 9th of April, transmitting an Address to Her Majesty from the Legislative Council and Assembly of Prince Edward Island, on the subject of the recent Land Commission.

The Council and Assembly after stating at length the appointment of a Commission to examine into the Land Question, the nature of the recommendation or Award submitted by them to Her Majesty, and the circumstances under which certain Bills, based upon that recommendation, failed to receive Her Majesty's allowance, proceed to observe, that the question whether this Award can, or cannot, be made legally binding on the parties concerned, is one proper for the consideration of Her Majesty's legal tribunals; and they conclude by praying Her Majesty to inform the Proprietors of land in Prince Edward Island, that unless cause to the contrary be shewn, before a legal tribunal to be provided by Her Majesty, a Bill giving effect to the Commissioners' Award will receive the Royal sanction. As I am not aware of any method by which this question could be submitted to any Court of Justice, and as the Council and Assembly have not suggested any such method, I considered that the course most satisfactory to them would be that of ascertaining from the Law Officers of the Crown, first, whether the so called Award were, in itself, liable to any objection, founded upon any principle of law or equity, and next, whether it were possible, by any proceeding in law or equity, to give effect to the wish of the Prince Edward Island Legislature, by enabling the Proprietors or Tenants to show cause why Her Majesty's Assent should or should not be given to the proposed Bill.

I transmit a copy of the answer which I have received to my question.

You will observe that in the opinion of Sir W. Atherton and Sir R. Palmer, the report of the Commissioners is not properly to be called an Award at all; and in particular "that a recommendation, that the price to be paid by a Tenant for the purchase of his land, should be settled, in each particular instance in which the Landlord and Tenant may differ about the same, by Arbitration, is not either literally or substantially within the scope of the Commissioners' authority."

They further state that any Act for the settlement of this question must be judged of upon its own merits, and "not upon any supposition of an Award, legally or morally binding, having been made in this case."

I trust that this opinion, embracing the legal and moral aspects of the question, and founded on the plainest principle of law and common sense—the principle that a man who has agreed to refer his case to one Tribunal, cannot therefore be forced to submit it to another—will satisfy the Legislature of Prince Edward Island that the course which they have suggested must be dismissed, as impracticable, and will lead them to consider, with patience and moderation, some other means of settling a question which is at present productive of so much public inconvenience.

The Government of the Colony, acting in the interests of the Tenants, have already rejected a proposal made by the Proprietors, that their lessees should be allowed to purchase a fee-simple in their holdings at fifteen years' purchase of the reserved rent, the purchase money being paid at once in cash. I can imagine that they may have had good reasons for that refusal, but I cannot help observing that, as the Commissioners have suggested a maximum rate of twenty years' purchase, the Proprietors' proposal must, in some instances, have involved a considerable sacrifice on their part, and that its rejection by the Tenantry transfers to them the obligation of suggesting some reasonable basis of compromise.

The ground being thus cleared for a fresh proposal, I think myself bound to bring before the Colonial Government the views which I have been led to form on the subject.

As to the general principles on which this matter ought to be settled, I feel little difficulty.

In the first place, I dismiss the idea of imposing on the Proprietors, by law, any general rate of commutation.

The enquiries of the Commissioners were pointedly directed to this object, and they have pronounced it unattainable.

I think that the objections to a compulsory arbitration are equally insuperable. The expense would probably be so large, and the practical difficulty of securing a fair adjudication, and compelling a Tenant to perform the terms of an unfavorable Award, would, in the present state of public opinion, be so great, that the proprietors could not, with any justice, be required to submit to them.

I also dismiss the notion of any Imperial Guarantee or advance of Money. The Legislature of Prince Edward Island must take it as certain that Her Majesty's Government cannot propose any such measure to Parliament.

As, however, the project of a Loan, under an Imperial Guarantee, has met with universal favor, I assume that means might be found in the Colony to pay interest on a Loan of less amount, without such a guarantee.

I also infer from the tone of the Commissioners, that any general rate of commutation which is adopted or indicated by authority, should hinge more or less upon the reserved rent.

From the eagerness with which I have been pressed to confirm the Award of the Commissioners, I infer that the Award is acceptable to the Tenants, that is to say, that the Tenants are ready to pay the fair price of their lands—as settled by impartial arbitrators—in instalments spread over ten years, and to continue the payment of rent—or rather, of interest on the unpaid instalments,—until the land is thus enfranchised.

From the scheme of the Proprietors I infer that they, on their side, are in all cases ready to sell their rights for fifteen years' purchase of the reserved rent, paid at once in cash. But I conceive that basis of commutation to have been defective, for two reasons:—first, that it required an immediate cash payment in full, which the Tenants cannot make; and secondly, that it based the price of an Estate solely on the rate of reserved rent, without reference to the question whether that rent had been, or could be collected. It could not be expected that Tenants who had never paid their rents, would buy off their obligation to do so at the rate of fifteen years' purchase.

With these preliminary observations, I desire to consider the present condition of the question, with a view to determine not what is just or legal, on which of course no agreement can be expected, nor yet what would be most advantageous to the Tenants or Landlords, if either of them were possessed of unlimited power to effect what they wished—which is an easy but impractical question—but to the more useful and difficult enquiry; can these Tenures be extinguished on terms which, under present circumstances, are mutually advantageous to Tenant and Proprietor?

It must steadily be borne in mind that in calling upon the proprietor to relinquish his present claims, the Colony is calling upon him to sacrifice admitted legal rights. By what inducement can he be reconciled to that sacrifice? Plainly by giving increased security to those rights



which he retains. Payment in cash would dispose of all question of security, but this the Tenant cannot effect. Payment by instalments gives the Landlord no fresh security. It is merely the substitution of one promise to pay for another, the parties remaining the same.

It appears to me, however, that in many cases, at least, the position of the Landlord would be materially bettered, if he received the security of the Colony, instead of the security of the Tenant, for his annual income; or in other words, if the purchase money were paid down at once, but were paid either wholly or in part in Debentures.

I will assume, in order to facilitate the explanation of my meaning, that the purchase money is paid, one third in cash and two thirds in Debentures.

I should then, in the first place, propose that the Government should be authorized to issue annually a certain amount of Debentures, bearing six per cent interest—say not exceeding fifteen thousand pounds a year for five years,—and to apply these Debentures in buying up, or in assisting to buy, the Landlords' rights, with their consent, at a fixed rate of purchase, which I will call the Government price. When a Tenant is prepared to pay down in cash one third of the Government price, I would propose that the Government should issue Debentures to the amount of the remaining two thirds, and that the purchase being thus completed, the Tenant should receive a conveyance in fee of the land, subject to the liability to pay the interest on the Debentures, and ultimately, by contribution to a sinking fund or otherwise, to discharge the principal.

If the Tenant could not advance this proportion of the purchase money, the Government might buy the property on its own account—as has been done with the Selkirk and Worrell Estates—and recover its advances, as it could, either by resale of the Lands, or by the recovery of rent from the Tenant, in which the Government, with full power of Legislation at its command, ought not to find any difficulty.

In this case, however, it might be necessary for the Government to raise, by the sale of Debentures, perhaps at a loss, the proportion of the purchase money which was to be paid in cash.

This being the machinery of redemption, it follows to enquire what shall be the Government price. The assessed rate of purchase which will regulate the amount of assistance to be given in each case from public funds, and which may be viewed as receiving a certain moral support from Government. Although this rate is not compulsory, and may, therefore, be increased or diminished in particular cases by private arrangements between Landlords and Tenants, it is highly desirable that it should be so fixed as to be tolerably applicable to the majority of sales, and to inform Landlords, with some precision, what they have to expect, and what terms of escape (for so I will call it) from their very invidious position are practically open to them.

In this enquiry, I shall assume the rate of Interest in Prince Edward Island to be that at which the Debentures are issued, namely, 6 per cent. A rent reserved on land would, at this rate, be worth about 16 years' purchase. And, considering that two thirds of the purchase money is to be paid in Government Debentures, I do not think that a Landlord, who has looked after his property and is in the receipt of full reserved rent, could be expected to part with his interest—including a more or less valuable reversion at the expiration of the lease—for a less amount. Nor do I see why the Tenant should be disinclined to redeem at that rate.

But in many cases Landlords have not looked after their interests, and have not received their full rents. In proportion as this has been the case, the Tenant will be unwilling to redeem, at a high rate, a rent which he has never paid; while the Landlord will be ready to sell, at a low rate, a rent which he has never received. In all these cases, therefore, a proportional reduction must be made in order to satisfy the Tenant, and may be made without dissatisfying the Landlord. In all these cases I would propose—to use an ordinary phrase—to "split the difference" between the strict rights of the Landlord and his actual receipts.

It would be easy to ascertain, in any case of intended commutation, the average payment of the Tenant for the 8 years preceding the 1st of May, 1858, being the date up to which the Commissioners propose to remit arrears. Having done this, I would propose to take, as the Government price, a sum equal to 8 years' purchase of the reserved rent, plus 8 years' purchase of the average actual receipts.

I will illustrate the proposal by three cases of farms rented at £50 a year each. In one, I will suppose that the full rent has been regularly paid—in the second, that it has been half paid—in the third, that it has not been paid at all.

## ( I. )

Eight years' purchase of reserved rent (£50)	£400 0 0
Eight years' purchase of average receipts (£50)	400 0 0
Government price,	£800 0 0

## ( II. )

Eight years' purchase of reserved rent (£50)	£400 0 0
Eight years' purchase of average receipts (£25)	200 0 0
Government price,	£600 0 0

## ( III. )

Eight years' purchase of reserved rent (£50)	£400 0 0
Eight years' purchase of average receipts,	0 0 0
Government price,	£400 0 0

Of this sum I have already said, one third would be paid in cash by the Tenant; the remaining two thirds would be advanced by Government in Debentures. A payment for twenty-five years of 8 per cent. on the amount borrowed, would probably suffice to meet the annual interest of the Debentures, and to pay off the principal, if the terms of the Loan rendered it possible to invest the annual payment towards the sinking fund in the redemption of the Debentures, *i. e.* at 6 per cent. interest. If not, the slight loss might possibly be borne by the public Treasury, in consideration of the public benefit which this commutation might be expected to effect.

If this were so, the result to the Tenant, in each of the three preceding cases, would be as follows:

When a rent of £50 had been paid in full, the Landlord would receive £800. The Tenant would pay £266 13s. 4d. down, and an annuity, say for 25 years, of £42 13s. 4d.

When the reserved rent was £50, and £25 had been actually paid, the Landlord would receive £600, and the Tenant would pay £200 down, and an annuity of £32.

When nothing had been paid, the Landlord would receive £400 and the Tenant would pay £133 6s 8d down, and an annuity of £21 6s 8d.\*

I suggest the payment by way of annuity, because I suppose this to be the most convenient to the Tenant. But, of course, arrangements might easily be made to enable those who preferred it to pay their money more promptly.

In any case, however, it must be distinctly understood—as this is the basis of the whole arrangement—that the obligation to pay the principal and interest of the Debentures, as between

## \*(I.) £50 rent paid in full.

Government price.	Paid down.	Remaining due	Annual payment for 25 years, at 8 per cent
£800 0 0	266 13 4	533 6 8	42 13 4

## (II.) £50 reserved rent, £25 actually paid.

£600 0 0	200 0 0	400 0 0	32 0 0
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## (III.) £50 reserved rent, nothing actually paid.

£400 0 0	133 6 8	266 13 4	21 6 8
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the Government and the Debenture holder, rests exclusively on the public Treasury, and is in no degree whatever affected by the failure or neglect of the Government to recover the money from the Tenant.

As these sales will not be compulsory, it is not necessary to enter upon any question as to the nature or duration of the leases to which the right of purchase should apply. But with regard to arrears, I assume that, in any case of commutation, the Tenant and Landlord will alike be satisfied to abide by the Commissioners' recommendation, that arrears which accrued prior to May 1st, 1858, should be remitted, but that all subsequent arrears should be paid up.

I have heard two objections raised to that part of the scheme which relates to Tenants who have not hitherto paid their rents. The one is, that so large a remission, professedly depending on the fact that rent has been withheld, is, in fact, an encouragement to dishonesty. The other is, that those who have hitherto successfully resisted the payment of any rent whatever, will not be willing to pay the proposed commutation in order to get rid of an obligation which they have never performed.

The one objection is, that the indulgence to non-paying Tenants is immorally large—the other, that it is suicidally small.

These objections, to a certain extent, answer each other. But the truth is, that any practicable arrangement must be open to both of them. The state of things is this: The Landlords cannot seriously hope to recover their strict legal rights in full, while the Tenants, who have not paid rent, cannot, without extravagance, expect to be supported in their present refusal to do so. It is assumed—for without that assumption all hope of a pacification is impossible—that the Landlords will find it to their interest to waive their right to much that they are entitled to, if the Legislature of Prince Edward Island will honestly assist them to obtain more than they at present receive. This is the only possible basis of compromise. The real question is not whether the proposed arrangement is free from objection, but whether it will not, in a large number of cases, be for the advantage alike of Landlord and Tenant to secure their own interest by closing with such terms as I have indicated. My own hope and impression is that it will be so; and I, therefore, cannot but hope that the terms would be largely accepted, if put forth with the support of Government; though I am bound to add that some, at least, of the Landlords are not satisfied with them. There would, of course, remain a few special cases to be dealt with separately. But the experience of this country has shown that when a reasonable principle of voluntary commutation is once put forward, it is, before long, freely accepted by the majority of those concerned, while the minority either establish a fair ground of exception, or are eventually compelled to follow the stream.

I am under the necessity of requesting you to inform the Legislature that Her Majesty has not been able to comply with the prayer conveyed in their Address. But I wish you, in so doing, to lay the present Despatch before them, and invite their attention to the suggestions which it contains, being, I can assure you, the result of much anxious consideration, and of an earnest desire to promote the interests of Prince Edward Island and its inhabitants.

I have the honor to be

&c., &c., &c.

(Signed)

NEWCASTLE.

Lieut. Governor Dundas,

&c., &c., &c.

Law Officers to the Duke of Newcastle

TEMPLE, June 9th, 1863.

MY LORD DUKE,—

WE are honored with your Grace's commands, signified in Sir Frederick Rogers' letter of the 9th May, ultimo, stating that he was directed by your Grace to request that we

would take into consideration the enclosed copy of an Address to the Queen from the Council and Assembly of Prince Edward Island.

Sir Frederick Rogers was also pleased to state that that Island was granted during the last century to certain persons, by whom a large portion of it was let to the present occupiers.—The Tenants are very anxious to obtain a fee simple interest in their lands, and to escape payment of rent, and this desire has produced a series of disputes of various kinds.

That in 1860, a proposal was made to appoint a Commission to investigate the matter, and the Proprietors suggested as a preferable method “that three Commissioners or Referees be appointed—one to be named by Her Majesty, one by the House of Assembly, and one by the Proprietors of land—and that these Commissioners should have power to enter into all the enquiries that may be necessary, and to decide upon the different questions which may be brought before them, giving, of course, to the parties interested, an opportunity of being heard.”

This proposal was accepted by the Assembly of P. E. Island, who agreed, “on the part of the Tenantry, to abide by the decision of the Commissioners, or the majority of them, and to pledge themselves to concur in whatever measures may be required to give validity to that decision.”

That three Commissioners were appointed “for enquiring into the said differences, and for adjusting the same on fair and equitable principles.” And in a report (of which a copy was enclosed) “awarded,” *inter alia*, that the Tenants should receive a certain remission of arrears—that they should be entitled to purchase their holdings at twenty years’ purchase, of the reserved rent, and that any Tenant who thought this rate of commutation too high, might tender what he chose; and that, on the refusal of the Landlord to accept that tender, the value should be adjusted by Arbitration.

That to this the Landlords objected, through Sir S. Cunard, in a letter (of which a copy was annexed,) that they were ready to be bound by the decision of the three Commissioners, but that they were not prepared to hand over their interests to the proposed Arbitrators, and to embark in the expense and disputes consequent on a multitude of petty arbitrations. On this ground they refuse to accept the Award, and your Grace, on the same ground, refused to advise that Her Majesty should concur in the Legislation which was necessary for enforcing it.

That the Landlords, however, offered terms, not including an arbitration, but giving to the Tenants the remission of rent proposed by the Commissioners, and the right to purchase the fee simple of their land at fifteen years’ purchase of the reserved rent.

That the Council and Assembly of Prince Edward Island state that they do not seek by the passing of a law to compel compliance with an award liable to an objection, founded on any principle of justice or equity, but submit that the question as to whether that Award can or cannot be made legally binding on the parties concerned is one proper for the consideration of Her Majesty’s Judicial Tribunals.

That they therefore pray, that unless cause to the contrary be shewn before a judicial tribunal, Her Majesty’s allowance may be given to a Bill to give effect to the said Award of Her Majesty’s Royal Commissioners.

Sir Frederick Rogers was further pleased to state that there is in Prince Edward Island a Supreme Court invested with the usual powers appertaining to the English Supreme Courts of Equity and Common Law, and that under these circumstances he was directed to request our opinion on the following questions :

1. Whether the Award is in itself liable to any objection founded on any principle of law or equity ?
2. Whether there is any proceeding in law or equity by which it would be possible that the Proprietors or Tenants in P. E. Island could shew cause why Her Majesty’s assent should or should not be given to a Bill to be passed by the Prince Edward Island Legislature, for giving effect to the Award of the Commissioners ?
3. Whether there is any proceeding at law or in equity by which that Award can be enforced upon the recusant Proprietors ?
4. Whether, in case there is no such proceeding, the Legislature of P. E. Island could, with justice and propriety, pass a law giving effect to that Award ?

In obedience to your Grace’s commands, we have taken this matter into consideration, and have the honor to report :

I. That we do not think the term "Award" applicable with any propriety to the Report of the Commissioners of inquiry, appointed by Her Majesty's Commission of the 25th June, 1860. For there was no reference or submission properly so called. The gentlemen who signed the letter to your Grace, dated the 13th February, 1860, having been incompetent to bind the general body of Proprietors of land in P. E. Island, and not having professed or attempted to do so; while, on the other hand, it is clear that they did not propose or intend by that letter to bind themselves, individually, unless the general body of Proprietors would be also bound.

Passing, however, by this point—which is, nevertheless, of the greatest importance—with reference to the two following questions, we are of opinion, upon the substance of the case, that the Commissioners have not executed the authority which was alone proposed to be conferred upon them, on the part of the land-owners who signed the letter of the 13th February, 1860, so far as the proprietary interests of those or other land-owners are concerned, viz.: "To negotiate with the Proprietors of township lands for fixing a certain rate of price at which every Tenant might have the option of purchasing his lands; and also to negotiate with the Proprietors for a remission of the arrears of rent in such cases as the Commissioners might deem reasonable." And we think that a recommendation that the price to be paid by a Tenant for the purchase of his land should be settled, in each particular instance in which the Landlord and Tenant might differ about the same, by arbitration, is not either literally or substantially within the scope of that authority.

We are confirmed in this view by the perusal of the Act of Assembly, passed on the 2nd of May, 1860, which, although not assented to by Her Majesty—for the reasons stated in your Grace's despatch of the 2nd January, 1861—appears to us to show, both by its preamble and by its second and third enacting clauses, that an Award by the Commissioners, which, without any delegation to other arbitrators, should itself settle all matters in difference between each particular Landlord and Tenant, and should therefore determine and govern the title to the land in each Township, was what the Assembly, as well as the land-owners, really had in contemplation.

2 and 3. Our answer to both these questions is in the negative.

4. This is a question of public policy. Such an Act, if passed by the Colonial Legislature, and assented to by Her Majesty, must be founded and justified, not upon any supposition of an "Award" legally or morally binding having been made in this case, but solely for reasons of public advantage, such as those which have at various times induced the Imperial Legislature to pass statutes for the enfranchisement of Copyholds at the option of the Tenant; for the enfranchisement of perpetually renewable leaseholds in Ireland; for the commutation of Tithes; for the compulsory acquisition of lands for Railway and other public works, at prices to be fixed by a jury or by arbitration; and for other similar purposes, involving, for the general good, more or less, interference with the tenure of private property.

We have, &c., &c., &c.

(Signed)

WM. ATHERTON,  
ROUNDELL PALMER.

His Grace the Duke of Newcastle, K. G., &c., &c.

(COPY.)

Prince Edward Island.

GOVERNMENT HOUSE, 2nd September, 1863.

MY LORD DUKE;

The bearers of this letter, the Hon. Edward Palmer, Attorney General, and the Hon. Wm. Henry Pope, Colonial Secretary, of this Island, have been nominated by the Executive Council

to proceed to London as a Delegation from the Government of this Province to H. M's. Government on the Land Question.

The Delegates are in possession of the views of the Party in power on the subject, and are prepared, with your Grace's permission, to enter into the whole Question.

I have, &c., &c., &c.,

(Signed)

GEORGE DUNDAS,

Lieut. Governor.

His Grace the Duke of Newcastle,  
&c., &c., &c.

(Copy.)

**Prince Edward Island.**

No. 5.

DOWNING STREET, 5th February, 1864.

Sir;

I have the honor to acknowledge the receipt of your Despatch, No. 103, of the 16th of Dec., 1863, enclosing a statement of expenses connected with the Land Commission which have been incurred by the Government of Prince Edward Island.

The share of the cost of this Commission intimated to you in my Despatch, No. 96, of 21st of March, 1862, as having been taken by Her Majesty's Government was

1. The sum, viz. £200, originally fixed upon for the remuneration of the Commissioners appointed by the Crown (as well as of the other Commissioners) together with the additional remuneration of £200 granted to each Commissioner, in all, eight hundred pounds.

£800 0 0.

2. The personal outlay of the Commissioners, amounting, according to an account received from Mr. Gray, to two hundred and forty-four pounds fifteen shillings and five pence.

244 15 5.

3. Mr. Wightman's account of three hundred and sixteen pounds seven shillings and six pence.

316 7 6.

£1361 2 11

Or £1360, if the shillings under each head are omitted.

Of the last named amount, Mr. Wightman received from the Commissioners two hundred and thirty-nine pounds fourteen shillings and two pence, which has been repaid to them, and I have to authorize you to draw upon Her Majesty's Government for the balance of seventy-six pounds thirteen shillings and four pence, which appears to have been paid to Mr. Wightman by the Government of Prince Edward Island.

£239 14 2

76 13 4

£316 7 6

£60 0 0

16 13 4

£76 13 4

With reference to the concluding paragraph of your despatch, I have to repeat what was intimated to you in 1862, viz; that Mr. Howe received from the Imperial Treasury his total remuneration of four hundred pounds, of which the Local Government was liable for two hundred pounds, the reimbursement of which sum by the Local Government was rendered unnecessary by that Government having previously issued an equal amount to Mr. Howe, whilst its repayment by Mr. Howe was not required, in consequence of its application by him to the liquidation (in part) of the personal outlay of the Commissioners above mentioned.

I have, &c., &c., &c.,

(Signed)

NEWCASTLE.

Lieut. Governor Dundas,  
&c., &c., &c.

(COPY.)

**Prince Edward Island.**

DOWNING STREET, 12th December, 1863.

No. 44.

SIR;

I have received and have had under my consideration 13 Acts passed by the Legislature of Prince Edward Island, in the month of April last, and transmitted to me in your Despatch [No. 65, 5th August, 1863] noted in the brackets.

I have reported to Her Majesty in Council my 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 17th ultimo, approving that Report.

No. 1131 to 1135.

1138 " 1142.

1144.

1146.

1147.

I have, &amp;c. &amp;c. &amp;c.

(Signed) NEWCASTLE.

Lieut. Governor Dundas, &amp;c. &amp;c. &amp;c.

**At the Court at Windsor, the 17th day of November, 1863.**

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,  
Lord Privy Seal,  
Viscount Palmerston,

Sir George Grey, Bart.,  
Mr. Chancellor of the Exchequer.

**W**HEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did in the month of April, 1863, pass thirteen Acts, which have been transmitted, entitled as follows, viz:—

- No. 1131. " An Act to Incorporate the Marine Insurance Company of Prince Edward Island."  
 No. 1132. " An Act for raising a Revenue."  
 No. 1133. " An Act relating to Steam Navigation in this Island."  
 No. 1134. " An Act to alter and amend the Act intituled 'An Act to consolidate and amend the several Laws relating to Education.'"  
 No. 1135. " An Act to amend the Law relating to Statute Labour, and to authorize the Establishment of certain additional Road Districts, and the appointment of Road Commissioners therefor."  
 No. 1138. " An Act to continue certain Acts therein mentioned."  
 No. 1139. " An Act to alter and amend the Act for the preservation of the Alewives' Fisheries in this Island."  
 No. 1140. " An Act to authorize the Lieutenant Governor of Prince Edward Island to sell certain Pews in Saint Paul's Church, Charlottetown, now held by the Government."

- No. 1141. "An Act to Incorporate the Minister and Trustees of the Presbyterian Church of Bay Fortune."  
 No. 1142. "An Act to Incorporate the Minister and Trustees of the Presbyterian Church of Saint Peter's Bay."  
 No. 1144. "An Act authorizing the Legislative Council and the House of Assembly to commit prisoners in contempt to the Common Gaol of Queen's County."  
 No. 1146. "An Act to Incorporate King Hiram Lodge, No. (1123) one thousand one hundred and twenty-three, of Free and Accepted Masons, of Saint Eleanor's, in Prince Edward Island."  
 No. 1147. "An Act for appropriating certain Monies therein mentioned for the service of the year of our Lord one thousand eight hundred and sixty-three."

And whereas the said Acts have been laid before Her Majesty, in Council, together with letters to the Lord President of the Council, from the Most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, recommending 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 recommendation.

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.

ARTHUR HELPS.

(COPY.)

**Prince Edward Island.**

DOWNING STREET, 12th December, 1863.

No. 45.

SIR;

I have received, and have had under my consideration, two Acts passed by the Legislature of Prince Edward Island in the month of April last, and transmitted to me in your Despatches, [No. 47, 15th May, 1863, No. 65, 5th August,] noted in the brackets.

I have reported to Her Majesty in Council my opinion that the said Acts should be specially confirmed, and I have the honor to transmit to you herewith an Order of Her Majesty in Council, dated the 17th ultimo, approving that Report.

I have, &c. &c. &c.

(Signed) NEWCASTLE.

Lieut. Governor Dundas, &c. &c. &c.

**At the Court at Windsor, the 17th day of November, 1863.**

PRESENT:

The Queen's Most Excellent Majesty,

Lord President,

Lord Privy Seal,

Viscount Palmerston,

Sir George Grey, Bart.,

Mr. Chancellor of the Exchequer.



**W**HEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did in the month of April, 1863, pass two Acts, which have been transmitted, entitled as follows, viz:—

No. 1130. "An Act to Incorporate the Union Bank of Prince Edward Island."

No. 1143. "An Act for the Naturalization of Aliens."

And whereas the said Acts have been laid before Her Majesty in Council, together with letters to the Lord President of the Council, from the Most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, recommending that the said Acts should receive Her Majesty's special confirmation: Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Acts, and the same are hereby specially confirmed, ratified, and finally enacted accordingly.

Whereof the Governor, Lieutenant Governor or Commander-in-Chief, for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

ARTHUR HELPS.

(EXTRACT.)

No. 47.

LEGISLATIVE.

PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE,

13th May, 1863.

MY LORD DUKE;

1. I have the honor to enclose three certified copies of "An Act to incorporate the Union Bank of P. E. Island," and also a Report by the Attorney General on this Act.

9. I regret to observe some errors in the enclosed Act. In clause XX. the word "eighteen" is inserted apparently instead of "nineteen." In clause XXXIII. "loñe" stands for "loan," and in clause XXXV. the word "thirteen" appears to have been inserted instead of "fourteen."

I have, &c. &c. &c.

(Signed)

GEORGE DUNDAS,

Lieut. Governor.

His Grace the Duke of Newcastle, K. G., &c. &c. &c.

(COPY.)

Prince Edward Island.

No. 32.

DOWNING STREET, 15th Sept. 1863.

SIR;

I have the honor to acquaint you that it is my intention to advise Her Majesty to confirm specially the following Act of the Legislature of Prince Edward Island, passed with a suspending clause on the 18th of April, 1863, and transmitted to me in your Despatch, No. 47, of the 13th of May last:

Cap. IV. "An Act to incorporate the Union Bank of Prince Edward Island."  
 You will, however, do well to procure the correction, by an amending Act, of the clerical errors noticed in the concluding paragraph of your Despatch.

I have, &c., &c., &c.

(Signed)

NEWCASTLE.

Lieut. Governor Dundas, &c., &c., &c.

(Copy.)

**Prince Edward Island.**

No. 33.

DOWNING STREET, 26th September, 1863.

SIR;

I have the honor to acknowledge the receipt of the following Act of the Legislature of Prince Edward Island, passed with a suspending clause on the 22nd of April, 1863, and transmitted to me, together with other Acts, in your Despatch, No. 65, of the 5th ultimo, Cap. VII, "An Act to incorporate the Grand Orange Lodge of Prince Edward Island, and the Subordinate Lodges in connection therewith."

I have had under my consideration, as well as the Act itself, two Petitions against it, forwarded respectively with your Despatches, No. 43, of the 27th of April last, and No. 66, of the 5th ultimo, the latter of which is stated to have been signed by upwards of 11,000 persons.

I deeply regret that the Legislature of Prince Edward Island should have given its sanction to a class of institutions which all experience has shewn to be calculated (if not actually intended) to embitter religious and political differences, and which must be detrimental to the best interests of any Colony in which they exist.

Holding these views respecting the measure, I have felt it impossible to advise Her Majesty the Queen to signify Her Royal approbation of it, without which, I am glad to observe, it will not take effect.

The Act therefore will remain inoperative.

I have, &c., &c., &c.,

(Signed)

NEWCASTLE.

Lieut. Governor Dundas, &c., &c.

(Copy.)

No. 35.

DOWNING STREET, 28th October, 1863.

SIR;

I have had under my consideration your Despatches, Nos. 65 and 67, of the 5th of August, 1863, enclosing respectively the authenticated copy of an Act entitled "An Act to authorize the Government to sell the Military Barracks in Charlottetown," and a Petition from the Municipal Council, praying that that Act may not be confirmed.

I think it clear that the Land relinquished by the War Department should be transferred to the local Government, to be dealt with in such manner as they shall think best,—the proceeds of its sale being applied to military purposes, and the local Government being under the obligation to provide Barracks for any soldiers who may hereafter be sent to the Colony.

I should, therefore, have advised Her Majesty without hesitation to confirm the Act but for a doubt which has occurred to me as to the correctness of the description contained in the first clause.

You will observe the Western Boundary line of the Town Lot, No. 70, is differently laid down in the two plans which accompanied the Petition of the Mayor and Council, and which I now return. If Lot 70 is properly laid down in the copy of Mr. Wright's plan (plan No. 1), the Barrack Ground is correctly described in the 1st clause of the Act. But if the plan, No. 2, (purporting to show the Barracks, as they now stand,) is correct, a line drawn "from the North West angle of Town Lot, No. 70, to the North of Water Street," would cut off and transfer to the Government some parts of Lots 35 and 3. If this is the case, it is evident that the Act should be amended, and the Eastern Boundary of the land to be vested in the Crown should be made to coincide with the Western Boundary of Lots 3 and 35.

I have, &c., &c., &c.

(Signed)

NEWCASTLE.

Lieut. Governor Dundas,

&c., &c., &c.

(COPY.)

### Prince Edward Island.

No. 101.

LEGISLATIVE.

GOVERNMENT HOUSE, 7th December, 1863.

MY LORD DUES;

With reference to your Grace's Despatch, No. 35, of 28th October, 1863, I have the honor to enclose a Report made by the Surveyor General respecting the description of the Barracks, as contained in Section I, of an Act "to authorize the Government to sell the Military Barracks in Charlottetown."

From this it appears that Lot 70 is properly laid down in the copy of Mr. Wright's plan, No. 1. The Barrack Ground is consequently correctly described in the 1st clause of this Act.

I remit to your Grace the two plans which accompanied the Petition of the Mayor and Council which were returned to me, by your Grace, with Despatch, No. 35.

I have, &c., &c., &c.

Signed)

GEORGE DUNDAS,

Lieut. Governor.

His Grace

The Duke of Newcastle, K. G.

&c., &c., &c.

To His Excellency George Dundas, Esquire, Lieutenant Governor,  
&c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY;

Your Excellency having submitted to me a plan shewing the position and boundaries of land occupied as Barracks, &c., in this Island, marked No. 2; also, having directed my attention to an Act passed by the Legislature of Session 1863, intituled "An Act to authorize the Government to sell the Military Barracks in Charlottetown," wherein, in Section 1, the Boundaries of said Barracks, &c., are particularly described, and desiring an explanation of an error or discrepancy which would appear to exist either in the Plan or in Section 1 of the said Act;

I beg to report that a description of the Barracks, &c., was furnished by me to the Law Clerk of the House of Assembly as necessary to the framing of the Act, but no plan accompanied it. The Plan, No. 2, was furnished by me to the Corporation of Charlottetown, shewing the position of the Barracks, &c., with the adjoining properties.

The first Section of the before recited Act; description reads thus: "On the North, by Sydney Street, and extending along the South side thereof, Eastwardly from the Shore of the Hillsboro' River, to the North-west angle of Town Lot, No. 70," &c., &c.; but it would appear by the Plan, No. 2, that the said line running Eastwardly did not extend to the North-west angle of Town Lot, No. 70, and if it did so, the Legislature by enactment would be encroaching on Town Lots, Nos. 35 and 3, from Dorchester Street to Water Street.

I beg to observe that Town Lot, No. 70, is bounded North by Sydney Street, East by Town Lot, No. 71, South by Dorchester Street, and West by Town Lot, No. 69, which said Lot, No. 69, is comprised within, or rather constitutes the North-east angle of the ground occupied by the Barracks, &c.; consequently the description, as extending to North-west angle of 70, is correct, although exhibiting by Plan, No. 2, a want of connexion or extension. The Town Lot, No. 70, is still there in its entirety, although a portion has been used as a thoroughfare to other property; but in a survey or in mapping of such survey, Streets and Lanes are shewn to exist without reference to their being a portion or the whole of an original Lot.

Allow me to recapitulate, Plan, No. 2, was furnished to the Corporation of Charlottetown, not as exhibiting the Boundaries described by Section 1, of the before recited Act; nor were the Boundaries described by Section 1 of the Act intended to be delineated or represented by Plan, No. 2.

Respectfully submitted.

(Signed)

JOHN ALDOUS,

Surveyor General.

Office of Public Works, 1st December, 1863.

(Copy.)

No. 2.

DOWNING STREET, 14th January, 1864.

SIR;

I have received and have 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. 65, 5th August, 1863.

I have reported to Her Majesty in Council my 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 7th instant, approving that Report.

I have, &c. &c. &c.

(Signed) NEWCASTLE.

Lieut. Governor Dundas, &c. &c. &c.

**At the Court at Osborne House, Isle of Wight, the 7th day of January, 1864.**

PRESENT :

The Queen's Most Excellent Majesty,

Lord President,

Sir George Grey, Bart.

Mr. Charles Villiers,

**W**HEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1863, pass an Act, which has been transmitted, entitled as follows, viz :

No. 1137. "An Act to authorize the Government to sell the Military Barracks in Charlottetown."

And whereas the said Act has been laid before Her Majesty in Council, together with a letter to the Lord President of the Council, from the Most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, recommending 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.

EDWARD HARRISON.

(COPY.)

**Prince Edward Island.**

DOWNING STREET, 27th November, 1863.

No. 41.

SIR;

I referred, for the consideration of the Lords Commissioners of the Treasury, the Act passed by the Legislature of Prince Edward Island, in April last, with a suspending clause entitled cap. XVI, "An Act to incorporate sundry persons by the name of President, Directors, and Company of the Farmers' Bank of Rustico, and their Lordships have called my attention to

the fact, that by the 2nd Section of the Act, the first Capital is fixed at so low an amount as £1200, and that by the 38th Section power is taken to increase it to £21,200. Their Lordships observe that these singular provisions do not afford a substantial guarantee for the responsibility of the Promoters of the scheme, and before the Act is submitted for Her Majesty's confirmation they wish to be furnished with a report on the subject, and I have to request that you will supply me with such a report for their Lordships' information.

I have, &c., &c., &c.,

(Signed)

NEWCASTLE.

Lieut. Governor Dundas,

&c., &c., &c.

(Copy.)

*Lieut. Governor Dundas to Secretary of State.*

**Prince Edward Island.**

GOVERNMENT HOUSE, 30th January, 1864.

No. 8.

MY LORD DUKE;

With reference to your Grace's Despatch, No. 41, of 27th November, 1863, respecting an Act, 26th Vic., Cap. XVI, "to incorporate sundry persons by the name of the President, Directors, and Company of the Farmers' Bank, at Rustico, I have the honor to enclose a Report which I have received from the Attorney General of this Island on the subject.

I would venture to ask your Grace's early decision on this Act, in order that I may be able to communicate it to the Legislature during the ensuing Session, which is likely to terminate towards the end of April.

I have, &c., &c., &c.,

(Signed)

GEORGE DUNDAS,

Lieut. Governor.

His Grace the Duke of Newcastle,

&c., &c., &c.

(ENCLOSURE IN No. 8.)

CHARLOTTETOWN, 26th January, 1864.

Sir;

I regret that until the present time I have not been enabled to reply to the communication I had the honor to receive from your Excellency, on the 14th December last, enclosing a copy of a Despatch from His Grace the Duke of Newcastle, on the subject of the Act passed by the Legislature of this Colony last Session, intituled, Cap. XVI, "An Act to incorporate sundry persons by the name of the President, Directors, and Company of the Farmers' Bank at Rusti-

co." It became necessary for me to communicate with several members of the Company, resident at some distance in the country, respecting the objections to the Act which were referred to in the Colonial Minister's Despatch, and the time occupied in this has in a great measure contributed to the delay that ensued the receipt of your Excellency's communication.

I have now to acquaint your Excellency that it is represented to me by the principal parties interested in the passing of the Act referred to, that with respect to the disparity between the first capital which by the second section is fixed at the sum of £1200, and by the 38th section is allowed to be increased to £21,200, they respectfully conceive that the guarantee for the responsibility of the promoters of the scheme should not be tested either by the original smallness of the proposed Capital or the amount of the license to increase it; but, as in other Banking Acts, by the requirements of the Act itself, and the rules and enactments regulating and establishing the liability of the shareholders, the amount to be paid on each share before operating upon it, and also the extent of the paper issued redeemable in specie permitted by the statute. They consider that the Enactments of the Statute are as stringent with respect to the liability of shareholders as the Act now in force incorporating the Bank of Prince Edward Island, 18 Vic., Cap. 10, or the Act of last Session, 26 Vic., Cap. 4, to incorporate the Union Bank of Prince Edward Island, as they are (see sec. 19) liable to pay twice the amount of stock then actually held by them over and above and in addition to the amount of stock actually by them paid into the Bank.

The whole amount of the original Capital must, in the case of the Farmers' Bank, be paid in gold and silver before operations can commence; whereas, in the case of the Bank of Prince Edward Island and the Union Bank, operations are allowed to commence whenever one third of the Capital shall have been paid in gold and silver, and although the increase from £1200 to £21,200 may seem very large, yet it would not be made at once, but may be made gradually, and (sec 41) banking operations can only take place on the additional stock, when its amount has actually been paid into the Bank in gold and silver, and all additional shares (see 42) are subject to all the rules, &c., to which the original shares are liable.

The friends of the Act further urge that the extent of the paper issues, which the Farmers' Bank is authorized to make, is limited by Section 21 to twice the amount of the Capital stock paid in; whereas the Act above referred to, relating to the Bank of Prince Edward Island and the Union Bank of Prince Edward Island allow an issue to the extent (see 18 Vic., Cap. 10, Sec. 20; and 26 Vic., Cap. 4, Sec. 21) of three times the amount of the capital stock paid in.

Having thus submitted to your Excellency the reasons adduced in support of the enactments of the Farmers' Bank of Rustico, almost precisely in the shape in which they have been communicated to me by the promoters of the scheme, I do not feel that I can add any further explanations that can be deemed useful on the subject.

I have, &c., &c., &c.

(Signed)

EDWARD PALMER,

Attorney General.

His Excellency

The Lieut. Governor,

&c., &c., &c.

(COPY.)

Prince Edward Island.

DOWNING STREET, 12th December, 1863.

No. 46.

SIR;

With reference to my Despatch, No. . . . of the . . . instant, forwarding an order of Her Majesty in Council leaving to its operation, amongst other Acts, an Act passed by the Legis-

lature of Prince Edward Island, entitled, No. 1182, Cap. 2, "An Act for raising a Revenue," I have the honor to acquaint you that the Lords of the Committee of Privy Council for Trade, to whom the Act was referred, have informed me that they observe with regret, that it is proposed to lay a duty upon wrecked articles and cargoes, and I have to request that you will call the attention of your Government to the objectionable character of such a tax on wrecked property not brought into consumption in the Colony.

I have, &c., &c., &c.

(Signed)

NEWCASTLE.

Lieut. Governor Dundas,

&c., &c., &c.

(CIRCULAR.)

(COPY.)

Prince Edward Island.

DOWNING STREET, 24th August, 1863.

SIR;

I transmit to you herewith a copy of a letter from Messrs. Amory, Traverse, and Smith, with a memorial proceeding from several commercial firms, representing the injury to which they are subjected from the frequent piracies of their trade marks in various British Colonies.

In the absence of more complete information than that of which I am at present possessed, as to the actual state of the law upon that subject in the Colony under your Government, I can only refer this representation to you, with the suggestion that it is desirable that Colonial Legislation should, as far as possible, be assimilated in each Colony to that which prevails in the United Kingdom, under the "Merchandise Marks Act" of 1862, (25 and 26 Vic., c. 88), as the best mode of checking the evil complained of.

I should wish to receive from you a distinct and authentic statement of the laws relating to Trade Marks in the Colony under your Government.

I have, &c. &c. &c.

(Signed)

NEWCASTLE.

Lieut. Governor Dundas, &c. &c. &c.

*Messrs. Amory, Traverse, & Co., to the Duke of Newcastle.*

25 THROGMORTON STREET, July 28th, 1863.

MY LORD DUKE;

We have the honor of handing your Grace, enclosed in this letter, a Memorial in reference to the frequent piracies of trade marks, of which the English Manufacturers have to complain in the various Colonies of the Empire.



We are instructed respectfully to request your Grace's consideration of the subject of the memorial, and that the requisite directions may be given in the Department over which you preside, with a view to giving effect to the objects contemplated; should you be of opinion that this can properly be done.

We have, &c., &c., &c.,

(Signed)

AMORY, TRAVERSE & SMITH.

The Duke of Newcastle, K. G.,  
Colonial Office.

**To the Most Noble the Duke of Newcastle, K. G., Her Majesty's Principal Secretary of State for the Colonies.**

*Memorial of the undersigned Manufacturers of Goods, Wares and Merchandize, using Trade Marks in the course of their manufacture, to distinguish and identify the articles manufactured by them,*

Sheweth that your Memorialists have for many years been in the habit of employing Trade Marks, for the purpose of identifying the articles of their manufacture, and that these trade marks have become very widely known, not alone in the British dominions and the Colonies, but in almost every country of the world, and are accepted as valuable and reliable proof of the genuineness of the manufacture, as well as of the character and quality of the articles to which such Trade Marks are attached.

That the articles of your memorialists manufacture have, from the reputation acquired by your memorialists for the goods they produce, attained such a reputation as to command a very much higher price than goods of the same kind, manufactured by various other houses, many or most of them of inferior quality, and not identified by Trade Marks.

That the increased price which your memorialists' commodities command has led to constant imitations and forgeries of their trade marks, but which have greatly been checked in the United Kingdom by the operation of recent Legislation.

That your memorialists find, in the course of their dealings with many of the Colonies of the United Kingdom, that they are far less protected against the trade frauds to which allusion has been made than in the United Kingdom itself, or in those countries between which and Her Majesty's dominions commercial treaties exist.

That in most of the British Colonies the piracies complained of (and which are even greater evils to the public than to your memorialists) continue practically unchecked.

Various cases have recently come to the knowledge of your memorialists in which the forgeries of trade marks have been perpetrated, and where the class of frauds alluded to are matters of daily occurrence, and carried on with the utmost openness, and practically, with perfect impunity. A condition of things which your memorialists have reason to be well persuaded would be materially ameliorated were the laws of the various Colonies of the empire assimilated to the improved law of the Mother Country.

Your memorialists humbly pray that the Department over which your Grace presides will be pleased to adopt such measures as may be necessary, with a view to the Governments of the Colonies of the British Crown being moved to make the requisite amendments in their law.

And your memorialists, &c., &c.

H. TRAVERSE & SON, and 128 others.

(Copy.)

**Prince Edward Island.**

(Circular.)

DOWNING STREET, 23rd September, 1868.

SIR;

I enclose a copy of an Act passed in the last Session of Parliament "to establish the validity of acts performed in Her Majesty's Possessions abroad by Clergymen ordained in foreign parts, and to extend the powers of Colonial Legislatures with respect to such Clergymen."

This Act has been rendered necessary by the circumstance that Clergymen deriving their ordination from Bishops consecrated under the Act of Parliament, 26 George III. Cap. 84, and incapacitated by that Act from performing their functions within Her Majesty's Dominions, have, notwithstanding, solemnized marriages, and performed other clerical acts of which the legality may be impeached.

The Statute now passed, besides establishing the validity of these Acts will, I hope, remove all occasion for irregularity, by enabling Colonial Legislatures within their respective jurisdictions, to authorize the performance of clerical functions by Clergymen incapacitated by the Act of 26 George III.

I think it advisable to explain that this Act does not extend to Clergymen of the Scottish Episcopal Church, because those Clergymen are under no statutory disability in the British Colonies since the Act of 32 George III, Cap. 63, does not apply to all of Her Majesty's Dominions, but only to England, Ireland and, Berwick upon Tweed.

I have, &amp;c., &amp;c., &amp;c.

(Signed)

NEWCASTLE.

Lieut. Governor Dundas,

&amp;c., &amp;c., &amp;c.

(copy.)

**Prince Edward Island.**

(Circular.)

DOWNING STREET, 14th January, 1864.

SIR;

I transmit to you herewith a copy of a letter from the Post Office, and I have to request that you will report to me whether your Government would be willing to co-operate with the Postmaster General in establishing an arrangement under which Trade Patterns may be sent by the Post between the United Kingdom and the Colony under your Government.

I have, &amp;c., &amp;c., &amp;c.

(Signed)

NEWCASTLE.

Lieut. Governor Dundas, &amp;c., &amp;c., &amp;c.

*Mr. Hill to Sir F. Rogers.*

GENERAL POST OFFICE, JANUARY 1, 1864.

SIR;

The arrangement proposed in my letter of the 25th last, for the transmission of Patterns of Merchandise through the Post, at a low rate of charge, between this country and Canada, having been acquiesced in by the Government of Canada, and just carried into operation, the

Postmaster General is now desirous of extending the measure to other British Colonies; and he requests that the Duke of Newcastle will be good enough to bring the question under the consideration of the Governments of the undermentioned Colonies, with a view of ascertaining whether they would be willing to co-operate with this Department in establishing an arrangement under which Trade Patterns may be sent by the Post between such Colonies and the United Kingdom.

The Australian Colonies, including	New Zealand
Antigua	Mauritius
Barbadoes	Nevis
Bahamas	Natal
British Guiana	Newfoundland
Bermuda	New Brunswick
Ceylon	Nova Scotia
Dominica	Prince Edward Island
Falkland Islands	St. Helena
Gambia	St. Vincent
Gold Coast	St. Lucia
Grenada	St. Kitts
British Honduras	Sierre Leone
Hong Kong	Trinidad
Jamaica	Tortola
Labuan	Torbago
Lagos	Turks' Islands
Montserrat	

It is proposed that the same rates of postage, and division of the postage, as well as the same general regulations that exist in the case of books exchanged between the United Kingdom and the several Colonies, shall be made equally applicable to Patterns; but as it is necessary to be explicit in defining what constitutes a Pattern, in order to avoid misconception, the following rules (which are those which govern the Pattern Post with Canada), and given as those which it would be desirable to apply to Patterns sent to or from the Colonies generally:—

1. The Patterns must not be of intrinsic value.

This rule excludes all articles of a saleable nature, and indeed whatever may have a value of its own, apart from its mere use as a Pattern; nor must the quantity of any material sent ostensibly as a Pattern be so great that it could fairly be considered as having, on this ground, an intrinsic value.

2. The Patterns must not bear any writing other than the address of the persons for whom they are intended, a manufacturer's or trade mark, numbers, and the prices of the articles.

3. The Patterns must be sent in covers open at the ends, so as to be easy of examination.

Samples, however, of seeds, drugs, and so forth, which cannot be sent in open covers, may be enclosed in bags of linen, or other material; but closed bags, although transparent, must not be used for this purpose.

4. The rule which forbids the transmission through the post of any article likely to injure the contents of the Mail Bags, or the person of any Officer of the Post Office, would of course be applicable to Patterns; and anything of the kind would be stopped, and not sent to its destination.

I am, &c.,

(Signed)

F. HILL.

Sir Frederick Rogers, Bart.,  
Colonial Office.

(COPY.)

**Prince Edward Island.**

No. 24.

GOVERNMENT HOUSE, 14th March, 1864.

(Miscellaneous.)

MY LORD DUKE;

In reply to your Grace's Circular, of 14th January, 1864, I have the honor to report that my Government are willing to co-operate with the Postmaster General in establishing an arrangement under which Trade Patterns may be sent by the Post between the United Kingdom and the Island.

I have, &amp;c., &amp;c., &amp;c.,

(Signed)

GEORGE DUNDAS,

Lieut. Governor.

His Grace the Duke of Newcastle,

&amp;c., &amp;c., &amp;c.

(COPY.)

**Prince Edward Island.**

DOWNING STREET, 6th April, 1863.

(Circular.)

SIR;

My attention has recently been called to the expediency of defining the relations which ought to exist between the Government of a British Colony and the Colonial Militia and Volunteers.

Her Majesty's Government are of opinion that the best and most constitutional mode of dealing with the question will be to follow strictly, in regard to all Colonial Volunteers, the general principles on which the Volunteer System rests in this country.

Under that system the Lord Lieutenant of each county, as the Queen's Representative, is the Commander-in-Chief of the whole force of County Volunteers, so long as they are not called out for actual service, while as soon as they are so called out, they come under the Mutiny Act and Articles of War, and pass from the Chief command of the Lord Lieutenant to that of the General Officer of the District.

Acting on this analogy, therefore, it is very desirable that the Governor of each Colony where Militia or Volunteers exist should, as the Queen's Representative, be constituted by Law the Commander-in-Chief of all the local forces raised in that Colony, and that all arrangements connected with the organization, drill and discipline of such forces should within the limits of the Act of the Legislature under which they are established, be made by his authority through such officers as he may appoint. Provisions to this effect are already in force in Canada and other Colonies, and if they are not already adopted in the Colony under your Government, I should wish you to embrace the earliest practicable opportunity of procuring their enactment. Wherever this is effected the Local Colonial Forces will occupy their proper constitutional position and a better guarantee for their efficient organization and good discipline will be secured than can be afforded by any other feasible arrangement.

In recommending that the English analogy should be followed, I wish you to understand clearly that although the Lord Lieutenant of a County is formally the Commander of the County force, and in that capacity exercises a general superintendence over its arrangements, and practically appoints the officers, he does not take the command of the Force when called out for duty even in time of peace, nor interfere in the ordinary discipline of each corps within his jurisdiction.

(COPY.)

**Prince Edward Island.**

DOWNING STREET, 14th April, 1863.

(Circular.)

SIR;

With reference to my Circular Despatch, of the 16th of September, 1862, I transmit to you for your consideration the copy of a letter from the Office of the Lords of the Committee of Privy Council for Trade, upon the subject of the provision to be made for the constitution in the Colonies of Courts of Inquiries into the causes of Wrecks.

I have, &amp;c., &amp;c., &amp;c.

(Signed)

NEWCASTLE.

Lieut. Governor Dundas,

&amp;c., &amp;c., &amp;c.

*Mr. Booth to Sir F. Rogers.*

OFFICE OF COMMITTEE OF PRIVY COUNCIL FOR TRADE.

WHITEHALL, 4th March, 1863.

SIR;

I am directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 20th ultimo, transmitting, for the consideration of their Lordships, a copy of a despatch from the Governor of Barbadoes relative to the inquiries into the causes of wrecks, and into the conduct of Masters, Mates, and Engineers in the Merchant service.

In reply, my Lords direct me to state to you, for the information of the Duke of Newcastle, that it appears to them very desirable that provision should, if possible, be made in all the British Possessions abroad for the constitution of Courts authorized to hold such inquiries, but in order to effect this it rests with the Legislative authorities to frame such measures for the purpose as the available resources and institutions of each Colony will admit of.

What in the case of Barbadoes these resources may be, my Lords have no means of judging, but they desire me to observe that it is very important that in the institution of any such tribunal, care should be taken to secure its being independent, and judicial in its character and form of proceedings, and that the members composing the Court should be free from local influence.

It is also essential that the Court should, where necessary, have the aid of nautical skill and experience.

I have, &amp;c., &amp;c., &amp;c.

(Signed)

JAMES BOOTH.

The Under Secretary of State,

Colonial Office.

(COPY.)

Prince Edward Island.

Downing Street, 6th July, 1863.

(Circular.)

SIR;

With reference to my Circular Despatches of the 16th September, 1862, and 14th April last, I transmit to you, for your consideration, the copy of a further letter from the Office of the Lords of the Committee of Privy Council for Trade, urging the establishment in the Colonies of Courts of Inquiry into the causes of Wrecks, in order to investigate the causes of every such casualty as soon as possible after it has occurred.

I am confident that this subject will receive from you the attention it deserves.

I have, &amp;c., &amp;c., &amp;c.,

(Signed)

NEWCASTLE.

Lieut. Governor Dundas.

*Mr. Booth to the Under Secretary of State for the Colonies.*

(COPY.)

OFFICE OF COMMITTEE OF PRIVY COUNCIL FOR TRADE,  
MARINE DEPARTMENT, WHITEMALL, 23rd JUNE, 1863.

SIR;

I am directed by the Lords of the Committee of Privy Council for Trade, to offer the following observations for the consideration of His Grace the Duke of Newcastle upon the subject of inquiries into wrecks happening on or near the Coasts of Her Majesty's Colonial Possessions.

The recent loss of the steam-ship "Anglo Saxon," off Cape Race, Newfoundland, and the proceedings connected with the inquiry which my Lords have instituted in this country in the matter of that wreck, have induced their Lordships at once to bring to the notice of the Secretary of State, the inconvenience and the difficulty of conducting these investigations in this country in cases where the casualty has happened in a distant country some weeks, or it may be months previously. In such cases it often happens that the officers, ship's crew and passengers have dispersed or remained abroad, and it becomes a chance whether the most important witnesses can be procured at the hearing.

To obviate the difficulties above alluded to, my Lords desire me to suggest that it is very desirable that measures should be adopted for the establishment, in the larger Colonies at any rate, of Marine Courts of Inquiry, whose duty it shall be to investigate on the spot and at once any case of wreck calling for inquiry, which may happen on or near the coasts of those Colonies.

Such a step has been contemplated by the Imperial Legislature in passing the Merchant Shipping Act, 1854, sec. 242, (amended by 25 and 26 Vic., cap. 63, sec. 23,) and has been adopted in some of the British possessions, e. g., in India, at the Cape of Good Hope, in some of the Australian Colonies, and at Hong Kong, and their Lordships are able to bear testimony to the satisfactory reports of investigations that have from time to time been received in this department from the courts so constituted.

It appears to my Lords that the Duke of Newcastle might with advantage call the attention of the Governors of those Colonies, in which no Courts of Inquiry into Wrecks at present ex-

ist to this subject, with an intimation of the opinion of Her Majesty's Government that it will be desirable in every Colony where the requisite means exist, to establish Courts of Inquiry which shall investigate wrecks of British ships happening on their respective coasts as soon as possible after the casualty has occurred.

I have, &c., &c., &c.,

(Signed)

JAMES BOOTH.

The Under Secretary of State,  
Colonial Office.

(COPY.)

*Major General Doyle to Lieut. Governor Dundas.*

GOVERNMENT HOUSE, N. S., February 8th, 1864.

SIR :

I have the honor to bring under the notice of your Excellency the following extract from the Speech addressed to the Legislature of this Province, on the 4th instant, relating to the proposed Union of the three Maritime Provinces, in the hope that corresponding action may be taken by the Government of Prince Edward Island.

"The importance of consolidating the influence, and advancing the common progress of the three Maritime Provinces whose interests are so closely identified has for some time attracted a large share of public attention, and I propose to submit for your consideration a proposition in which the co-operation of the Governments of New Brunswick and Prince Edward Island will be invited with a view to the union of the three Provinces under one Government and Legislature."

In accordance with the announcement thus made, the Government propose to submit to the Legislature a Resolution authorizing the appointment of Delegates to confer with Delegates who may be appointed by the Governments of New Brunswick and Prince Edward Island, for the purpose of arranging such preliminaries as may be considered necessary for the Union of the three Provinces under one Government and Legislature, such action to take effect only when confirmed by the Legislature of the three Provinces, and approved by Her Majesty the Queen.

I have, &c., &c., &c.

(Signed)

HASTINGS DOYLE.

His Excellency  
George Dundas,  
&c., &c., &c.

(COPY.)

*Lieut. Governor Dundas to Major General Doyle.*

GOVERNMENT HOUSE,

PRINCE EDWARD ISLAND,

17th February, 1864.

SIR :

I have the honor to acknowledge the receipt this day of your Despatch of the 8th instant, in which you bring under my notice an extract from your speech to the Legislature of Nova

Scotia, which has reference to the proposal of a Legislative Union of the Provinces of Nova Scotia, New Brunswick, and Prince Edward Island.

I shall at the earliest opportunity bring under the notice of the Executive Council of this Province the Resolution which, in accordance with the announcement in your speech, your Ministers propose to submit to the Legislature of Nova Scotia on this important question.

I have, &c., &c., &c.

Signed)

GEORGE DUNDAS,

Lieut. Governor.

His Excellency

Major General Hastings Doyle,

&c., &c., &c.

(COPY.)

*Major General Doyle to Lieut. Governor Dundas.*

GOVERNMENT HOUSE,

HALIFAX, N. S., 29th February, 1864.

SIR;

In continuation of my Despatch of the 8th instant I have the honor to inform your Excellency that the Government here propose to introduce the annexed Resolution upon the subject of the Union of the Maritime Provinces, but will defer doing so at present, in order that they may receive any suggestions upon the terms of the Resolution which your Excellency's Government may wish to offer, as it is certainly much to be desired that the wording of the Resolutions proposed to the different Legislatures should be as nearly identical as possible.

I have, &c., &c., &c.

(Signed)

HASTINGS DOYLE.

His Excellency,

Governor Dundas,

&c., &c., &c.

*Resolved*, That His Excellency the Administrator of the Government be requested to appoint Delegates (not to exceed five) to confer with Delegates who may be appointed by the Governments of New Brunswick and Prince Edward Island for the purpose of arranging a preliminary plan for the Union of the three Provinces under one Government and Legislature, such Union to take effect when confirmed by the Legislative enactment of the various Provinces interested, and approved by Her Majesty the Queen.



(Copy.)

Lieut. Governor Dundas to Major General Doyle.

GOVERNMENT HOUSE,

PRINCE EDWARD ISLAND,

11th March, 1864.

Sir;

I have the honor to acknowledge the receipt, on the 9th instant, of your Despatch of date the 29th ultimo, on the subject of a proposed Administrative and Legislative Union of the Provinces of Nova Scotia, New Brunswick, and Prince Edward Island; and to inform you that I have referred a copy of that Despatch, and of the Resolution enclosed, for the consideration of the Executive Council of this Island.

I have, &c., &c. &c.,

(Signed)

GEORGE DUNDAS,

Lieut. Governor.

His Excellency,

Major General Hastings Doyle,

&c., &c., &c.

**APPENDIX No. 3.**

**STATE OF THE BANK OF PRINCE EDWARD ISLAND ON THE FIRST DAY OF SEPTEMBER, 1863, 3 p. m.**

<b>DUE FROM THE BANK.</b>		£	s.	d.
Bills in circulation	46,987	10	0	
Net profits on hand,	3,176	9	1	
Balances due other Banks,	125	6	11	
Capital Stock,	30,000	0	0	
Cash deposited, including all sums whatever due from the Bank not bearing Interest, its bills in circulation, profits and balances due to other Banks excepted,	12,999	16	8	
Cash deposited bearing Interest,	7,656	1	3	
<b>Total amount due from Bank,</b>	<b>£100,945</b>	<b>2</b>	<b>11</b>	
Rate and amount of the last Dividend and when declared, 3½ per cent,	1,050	0	0	
Amount of reserved profits at the time of declaring last Dividend,	1,833	7	3	

<b>RESOURCES OF THE BANK.</b>		£	s.	d.
Gold, silver and other metals in its Banking House,	6,656	8	7	
Real Estate,	5,310	10	7	
Bank Furniture,				
Bills of other Banks incorporated in this Island,				
Balances due from other Banks, including Bills of exchange sent abroad for collection,	18,341	0	6	
Amount of all debts due, including Notes, Bills of exchange, and all stock and funded debts of every description, except the balances due from other Banks,	69,837	3	2	
<b>Total Resources,</b>	<b>£100,945</b>	<b>2</b>	<b>11</b>	

WM. CUNDALL, Cashier,  
4th Sept., 1863.

Sworn to before me, at Charlottetown,  
G. F. C. LOWDEN, J. P.

State of the Bank of Prince Edward Island on the First day of March, 1864, 3 p.m.

DUE FROM THE BANK.				RESOURCES OF THE BANK.			
	£	s.	d.		£	s.	d.
Bills in circulation,	62,542	0	0	Gold, silver and other coined metals in its Banking House,	15,591	4	8
Net profits on hand,	3,312	2	3	Real Estate,	5,318	9	7
Balances due other Banks,				Bills of other Banks incorporated in this Island,			
Capital Stock,	30,000	0	0	Balances due from other Banks, including Bills of exchange sent abroad for collection,	50,603	11	8
Cash deposited, including all sums whatever due from the Bank not bearing Interest, its Bills in circulation, profits and balances due to other Banks excepted	20,540	10	6	Amount of all debts due, including Notes, Bills of exchange, and all stock and funded debts of every description, except the balances due from other Banks,	66,645	2	7
Cash deposited bearing Interest,	21,763	15	9				

Total amount due from Bank, £138,158 8 6

Rate and amount of the last Dividend, and when declared, 5 per cent. £1500. 7th Dec.

Amount of reserved profits at the time of declaring last Dividend, 8,286 13 1

WM. CUNDALL, Cashier;

Sworn to before me, this 4th March, 1864,

JOHN MORRIS, J. P.

## APPENDIX No. 4.

(Vide Page 15.)

### Report on the Volunteer Brigade of Prince Edward Island for the year ending 31st January, 1864.

MAY IT PLEASE YOUR EXCELLENCY;

In accordance with your Excellency's directions, I have the honor to submit a Report upon the Volunteer Force of this Province.

I regret that I am unable to state exactly the strength of this force owing to the great irregularity shewn by Officers commanding Companies in not forwarding their Quarterly Returns during the past year.

This is the more to be regretted, as it has in consequence been impossible to forward accurate Returns to the Imperial Government, as required by the Secretary of State for the Colonies.

I have by your Excellency's command issued a Circular of date 30th January, 1864, stating your Excellency's intention of superseding any officer who is hereafter guilty of disobedience of the General Order (5th April, 1862) which require these Returns.

There are 34 Companies enrolled: 21 in the Queen's County Regiment; 7 in the Prince County Regiment; 6 in the King's County Regiment. The Minimum establishment for a Company is 50 enrolled Members. Some companies have fallen below this strength, whilst others exceed it. During the Summer of 1863 all the Rifles were called in to be marked in accordance with instructions received from the Imperial Government. Major General Doyle sent the Armorer Serjeant 2-17th Regiment, with an assistant to mark these arms; and also consented that these Armorers should make any repairs which the Rifles,—some of which had been 3 years in service,—might require. In order to facilitate matters further assistance was, at the Armorer's request, afforded by Bombadier Laird of the Charlottetown Artillery and Rifle Company.

Armorer Serjeant Millar, with assistants, was engaged in marking and repairing Arms from 16th June to 19th August, when the Armorer Serjeant received orders to rejoin his Regiment. At his departure 1289 stand had been marked, and the greater part of them repaired. Bombadier Laird has since been engaged in completing the repairs, and in marking the remaining Rifles. There still remain about 80 stand to be marked. A considerable saving of expense will for the future be effected, in consequence of Bombadier Laird being resident in the Island, and being competent to make the ordinary repairs, of which Rifles in use stand periodically in need.

While the Rifles were being marked, Lieut. Col. McKinstry was sent to inspect them on behalf of the Imperial Government. The Arms on the whole were in better order than might have been expected. The Armorer Serjeant's account, including assistant's traveling expenses, and board and lodging, etc., etc. was £99 12s. 3d., of this sum about £30 is due from the Imperial Government, as the marking was done under its orders and at its expense.

Most of the Arms have been reissued to the different Companies. Each Captain is liable for the Rifles, &c. issued to his company. In one case a Rifle was given to a member of a company by its Captain, and this member was allowed to make an alteration in the stock on the understanding, that he should pay the value of the Rifle if called upon to do so. It is obvious, that in so doing the commanding officer exceeded his authority, and it cannot be too strongly impressed upon commanding officers, that the Arms are a loan to the Province, that the Colonial Legislature has by law enacted that the Commander-in-Chief may direct these Arms, and also accoutrements to be issued under such regulations as he may deem necessary.

Although the Commander-in-Chief takes a Bond from the Captain of each Company for the value of the Arms, &c. issued to him, it must be clearly understood, that the Commander-in-Chief has no authority to sell these Arms, &c., that to detain them for private purposes, or to alter them in any way is unwarrantable, and that notwithstanding that, the value of the article be claimed on its non-production, the article itself is liable to be re-claimed, as Her Majesty's property, whenever it is discovered.

From a detailed account of the expenditure of the past year, it appears that

1. £99 12s. 3 $\frac{1}{2}$ d. was expended in marking and repairing arms.
2. £91 12s. 5d. was expended on drill instruction.
3. £222 0s. 5 $\frac{1}{2}$ d. was paid for military stores and their carriages from Halifax.
4. £30 was paid for services of Inspector General; £10 for travelling expenses and remuneration of Assistant Inspector.
5. £54 0s. 11d. was paid for various items, including £35 rent of Armory, £10 4s. 9d. expenses attending prize shooting, and the balance £8 16s. 2d. for small incidental expenses.

The above expenditure is £507 6s. 1d., apparently £107 6s. 1d. in excess of the appropriation for the year; but there was a balance in hand (after deducting amount paid for certain expenditure of 1862 which was not paid until after the accounts for that year were submitted) of £48 3s. 4d. of the appropriation for 1862.

A sum also of £79 17s. 3d. has been paid by companies for ammunition, leaving a balance of £20 14s. 6d. £30 is also due from the Imperial Government.

With regard to No. 2, £91 12s. 5d. was expended on the drill of the following companies :

Charlottetown Artillery,	}	Queen's County Regiment.
Prince of Wales,		
Southport,		
Bayfield,		
Royalty,		
Thistle,		
Irish,		
Brookfield,		
Little York,		
Pownal,		
Scotia,	}	Prince County Regiment.
Mounted,		
Brackley Point,	}	King's County Regiment.
Summerside,		
St. Eleanor's,		
Georgetown,		
New Perth,		
Souris,		

Your Excellency received Reports of Inspectors from which it appeared that many of the other companies to which it had not been found practicable to send Drill Instructors, were drilled by their own officers and showed considerable efficiency, under these circumstances your Excellency determined to equalize the expenditure on each company as far as possible, and instructed me by order, 29th December, 1863, to set aside £5 out of the grant for 1863 as an allowance under certain conditions for each of the Companies, which had not been provided with drill instruction from head quarters.

These allowances to the amount of about £70 had not been paid at the time of the making up of the accounts for 1863, and are not included in those accounts.

With respect to the item for ammunition, the only charge, (with the exception of a small amount of blank cartridge) which has as yet been enforced by the Imperial Government for ammunition, whether for large guns or for rifles, is the one included in this item, £215 2s. 4d. Of this about £75 appears to be an over charge made by the Military Store Department, at Halifax, which it will be requested to refund. Deducting this, £140 is the whole amount which the Colony has been called upon to pay. Of this the Volunteers themselves have paid £79, and there is ammunition in store to the value of at least £50.

Towards the payment therefore of all the ammunition which has been used in this Province since the organization of the Volunteer Force, whether for field pieces or rifles, at practice or at prize shooting, the Public Funds have contributed about £10. The remainder has been given by the Imperial Government, (with the exception of the amount to the value of £79 sold during the past year, and paid for by the Volunteers themselves.)

The Imperial Government has in all given 140,000 Rounds of Rifle Ball Cartridge to the Volunteers of Prince Edward Island.

I may summarize as follows, the support given by the Imperial Government which has not been confined to the gift of ammunition alone.

In 1859, it sent 1,000 stand of arms and accoutrements complete. And gave 100,000 round of ball cartridge.

In 1860, 3 iron 9 pounder guns, with a supply of ammunition. 50 Cavalry swords, with belts, &c.

In 1861, 4 brass field pieces, with a supply of ammunition; 50 Infantry swords; 400 rifles and accoutrements.

In 1862, it remitted a charge of £900, including a charge for 40,000 rounds of ball cartridge.

It could not be expected that the Imperial Government would continue this support, and the Province is now called upon to pay for all the stores which are issued to it.

It may not be out of place to represent the disadvantages, as regards the support they receive, from public funds, which the Volunteers are under in this Island, as compared with the Volunteers of the neighboring Provinces.

In Nova Scotia the Grant for 1863 was £6,000, (P. E. Island Currency) a considerable portion of this was, however, expended on the Militia.

Each Volunteer Company received a contingent allowance of about £9, 40 round of ball cartridge per man, targets, and Drill Instructors. Effective members are also exempt from Statute Labor. In New Brunswick the grant was £3,000, all expended on Volunteers except £125, the allowance to Adjutants of Militia Battalions.

Each Company received a contingent allowance of £24, 60 round of ball cartridge per man, and 600 rounds of ball cartridge per Company. Cloth for their uniforms and drill instruction. Effective members are also exempt from Statute Labor.

On drill instruction alone, £1,000 was expended in that Province during the past year.

The whole grant appropriated by the local Legislature of this Island, £400 for the Volunteer service would just suffice to allow 60 rounds of ball cartridge for each of the 1,400 rifles lent by the Imperial Government.

It reflects the highest credit on the Volunteers themselves, that receiving, comparatively speaking, so little support from public funds, they have been able to hold their own with the more favored Volunteers of the other Provinces. I need hardly allude to the occasion on which they have competed with the rifle. Two out of three Inter-colonial prizes won by Island Volunteers, remain a testimony to their proficiency.

To expect that they will keep pace with their neighbors in drill is out of the question, unless the Legislature makes a grant which will enable your Excellency to support a Staff of Drill Instructors, similar to those in Nova Scotia and New Brunswick.

Your Excellency has recently determined to throw upon the Officers commanding Companies the responsibility of providing for the drill of their several corps. This step was deemed advisable on account of the impossibility of furnishing a sufficient Staff of Instructors from Head Quarters out of the present grant. Your Excellency was also anxious to encourage a spirit of self reliance among the officers themselves, by offering every inducement to them to instruct their own companies. Few of the corps are now without effective members who might with great advantage impart to others the knowledge of drill which they have themselves acquired.

By your Excellency's command, I announced to the officers commanding companies, that (in the event of the Legislature making a grant sufficient for the purpose) £12 paid half yearly would be the allowance for each company of 50 enrolled members; that a deduction of 5s would be made for every man under this number, not present in uniform at each half-yearly Inspection.

That £5 would be the allowance for each subdivision, *i. e.*, corps where enrolled members do not exceed 49. That a deduction of 5s. would be made for every man under 28, not present in uniform at each half-yearly Inspection.

The success of this plan must depend in a great measure, on the Inspections which will take place in the months of August 1864, and January 1865. All the arms, &c., which are in the possession of the several corps are to be produced at those inspections, and a deduction made from the allowance for any damage which may have arisen, and also a deduction of the value for any which are not forth coming.

Your Excellency has intimated to me your intention of being present yourself, at as many of the Inspections as your Excellency may be able to attend, during the ensuing Summer.

A difficulty of a serious nature is likely soon to arise from the uniform of the longest established Corps requiring to be replaced.

In New Brunswick, cloth is supplied gratis. It would be a great encouragement, and an encouragement which, I may venture to say, the old companies deserve, if cloth could be furnished here to them without charge, but at present the grant is insufficient.

It would, however, I believe, be a saving to the Volunteers if a supply of cloth was imported for resale, at cost price to the Volunteers. The War Office I understand, supplies Red Serge, double width, and fast color, at 2s. 11d., sterling, per yard. The application to be made by 1st June; the article to be served out 1st November following. A further saving might be effected by the making up of the uniform being contracted for.

I have alluded to the support given by the Imperial Government. I cannot conclude this Report without also alluding to the encouragement which has been given by the influential classes in this community.

The support of the Imperial Government has to a certain extent been withdrawn, for ammunition is no longer supplied except on payment. The individual expenditure of the Volunteers must therefore be considerably increased, for it is out of the question to issue ammunition gratis, unless the appropriation made by the Legislature is very considerably increased.

Under these circumstances, support and encouragement is the more needed from the people of the Colony.

The Volunteers give their time and provide their own uniforms. They have in addition, to pay for every round of ammunition which they fire, and to meet numerous incidental expenses.

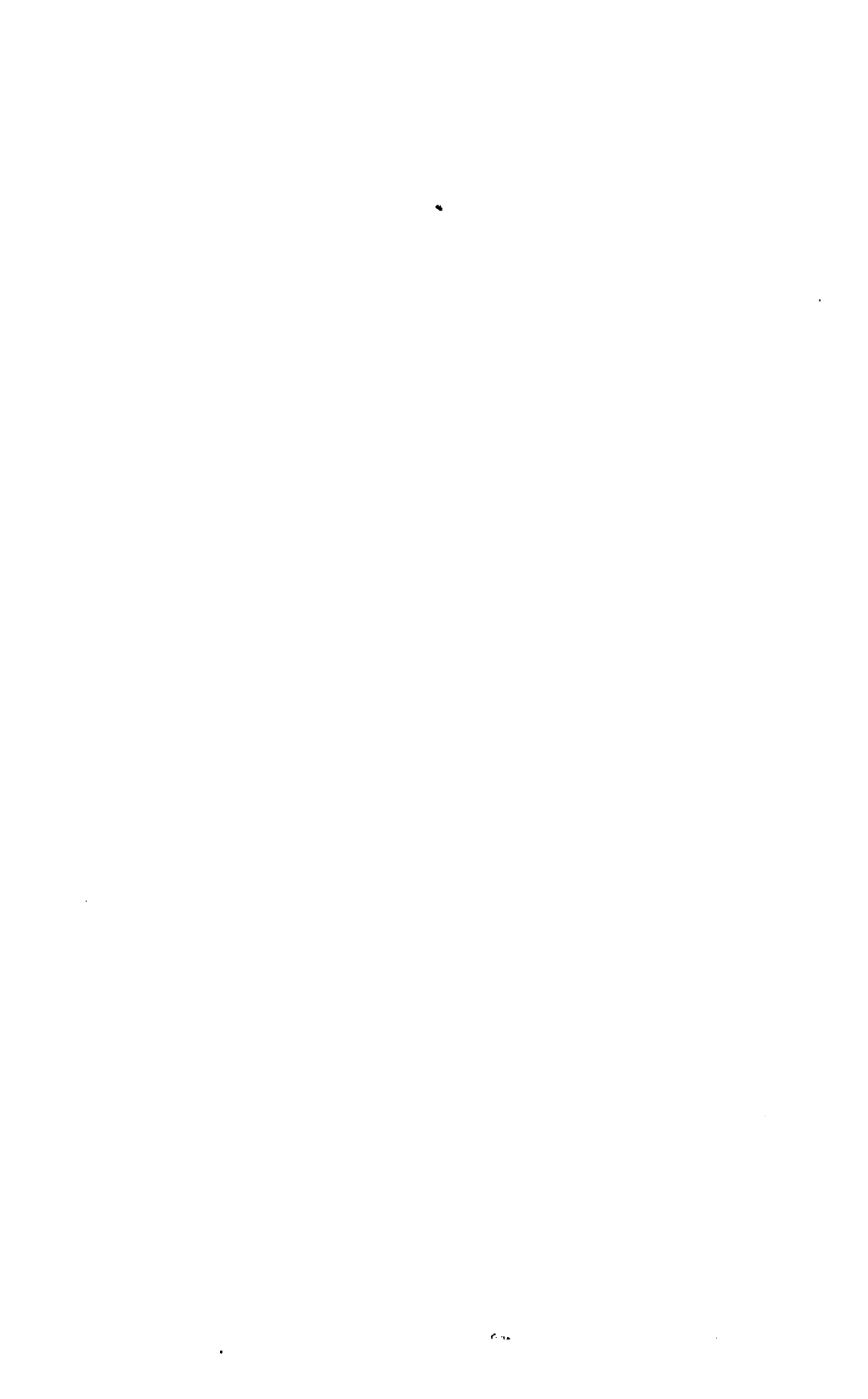
It is reasonable to expect that those who do not give their time should contribute in some way to the Movement.

The spirit is good, and the material second to none; but to prevent the Volunteer Force from degenerating into a few isolated corps in the wealthier Districts, a certain amount of pecuniary assistance is indispensable.

All of which is respectfully submitted.

P. D. STEWART, Adjutant General.

Adjutant General's Office, 19th March, 1864.







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No. 24, 11th July, 1863,—from Secretary of State to Lieut. Governor.

Sept. 2, 1863,—Lieut. Governor to Secretary of State.

No. 5, 5th February, 1864,—Secretary of State to Lieut. Governor.

No. 44, 12th December, 1863, and No. 45, 12th December, 1863,—Secretary of State to Lieut. Governor.

*Extract*, No. 47, 13th May, 1863,—Lieut. Governor to Secretary of State.

No. 32, 15th September, 1863,—Secretary of State to Lieut. Governor.

No. 33, 26th September, 1863,—Secretary of State to Lieut. Governor.

No. 35, 28th October, 1863,—Secretary of State to Lieut. Governor.

No. 101, 7th December, 1863,—Lieut. Governor to Secretary of State.

No. 2, 14th January, 1864,—Secretary of State to Lieut. Governor.

No. 41, 27th November, 1863,—Secretary of State to Lieut. Governor.

No. 8, 30th January, 1864.—Lieut. Governor to Secretary of State.

No. 46, 12th December, 1863,—Secretary of State to Lieut. Governor.

*Circular*, 21st August, 1863; *Circular*, 23d September, 1863; and *Circular*, 14th January, 1864,—Secretary of State to Lieut. Governor.

No. 24, 12th March, 1864,—Lieut. Governor to Secretary of State.

*Circular*, 6th April, 1863; *Circular*, 14th April, 1863; and *Circular*, 6th July, 1863,—Secretary of State to Lieut. Governor.

8th February, 1864,—Major Gen. Doyle to Lieut. Governor.

17th February, 1864,—Lieut. Governor to Major Gen. Doyle.

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2.—*Fraudulent Marking of Merchandize Bill:*

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3.—*Bills of Exchange and Promissory Notes Amendment Bill:*

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6.—*Specie Currency Amendment Bill* :

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8.—*Minister and Trustees of Valleyfield Presbyterian Church Incorporation Bill* :

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11.—*Union Bank Incorporation Bill* :

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12.—*Marine Court of Inquiry Bill* :

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13.—*Criminal Jurisdiction (Charlottetown Police Court) Extension Bill* :

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15.—*Charlottetown Incorporation Amendment Bill* :

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16.—*Independent Order of Good Templars' Incorporation Bill* :

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17.—*Church of England Amendment Bill* :

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18.—*Partition of Lands Amendment Bill* :

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19.—*Pickled Fish Inspection Bill* :

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20.—*Winsloe Estate Agreements Bill* :

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21.—*Oyster Fisheries Regulation Bill* :

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22.—*Insolvent Debtors Relief Bill* :

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24.—*Education Amendment Bill :*

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26.—*Small Debt Courts Bill :*

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27.—*Flour and Meal Inspection Bill :*

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28.—*Marriage Certificate Bill :*

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29.—*Land Settlement Bill :*

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31.—*Trial of Actions and Appeals Bill :*

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BILLS (*Continued.*)32.—*Inland Steam Communication Bill:*

Brought up and read, 52. Read a second time, 53. Committed, and reported without amendment, 54. Read a third time, passed, and Assembly acquainted thereof, 55. Assent of Lieut. Governor, 82.

33.—*Stray Horses, Neat Cattle, Sheep, and Geese Bill:*

Brought up and read, 52. Read a second time, committed, and reported without amendment, 54. Read a third time, passed, and Assembly acquainted thereof, 55. Assent of Lieut. Governor, 82.

34.—*Supreme Court Terms Bill:*

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35.—*Land Assessment Continuation Bill:*

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36.—*Land Assessment Consolidation Bill:*

Brought up and read, 56. Read a second time, committed, and progress reported, 62, 63. Again considered, and reported agreed to, 67. Read a third time, passed, and Assembly acquainted thereof, 68. Assent of Lieut. Governor, 83.

37.—*Surrogate and Judge of Probate Bill:*

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38.—*Revenue Bill:*

Brought up and read, 63. Read a second time, committed, and progress reported, 64. Again considered, and reported agreed to, 67. Read a third time, passed, and Assembly acquainted thereof, 68. Assent of Lieut. Governor, 70.

39.—*Certain Acts Continuation Bill:*

Brought up and read, 63. Read a second time, committed, and reported without amendment, 66. Read a third time, passed, and Assembly acquainted thereof, 66. Assent of Lieut. Governor, 82.

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42.—*Appropriation Bill* :

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43.—*John Robinson's Letters Patent Bill* :

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CHARLOTTETOWN : Bill in addition to the Act to Incorporate the Town of, brought up, 34. *Vide* Bills, No. 15.

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- 2.—To revise the Journal each day, etc., 3.
- 3.—To regulate the expenditure of this House, 3.
- 4.—To examine Bills to be engrossed or that have been engrossed, 3.
- 5.—To examine and report upon such Laws as have expired, or are near expiring, 3. Report, 28.

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- 7.—To make arrangements for the publication of the proceedings and debates of this House, 3. Report, 9. Adopted, 10.
- 8.—(Joint). To keep up a good correspondence between the two Branches, 7.
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- 10.—To report on all petitions praying for an amendment of existing Licence Law, 27. Report, 28.
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**LORD, Hon. W. W. :** Obtains leave of absence, 4, 16.

**LUNATIC Asylum :** *Vide* Asylum.

**MACAULAY, Roderick, Esq. :** Attends at the Bar of this House, and acquaints His Excellency the Lieut. Governor that the Assembly had chosen him to be their Speaker, 63. Choice confirmed, 63. *Vide* Lieut. Governor. Council: The Legislative.

**MACDONALD, Hon. A. A. :** Is introduced, and takes the Oath prescribed by Law, 3. Obtains leave of absence, 33.

**MACLAREN, Hon. James :** Obtains leave of absence.

**MACNUTT, Peter, and others :** Petition, 17.

**MARINE Court of Inquiry :** *Vide* Court of Inquiry.

**MARITIME Provinces :** Union of the. Correspondence relative to, 10. *Vide* Appendix, No. 2, 34 to 36.

**MARRIAGE Certificates :** Bill in addition to the Act to require Clergymen and others authorized to solemnize Marriage to return Certificates thereof to the Surrogate of this Island, 46. *Vide* Bills, No. 28.

**MERCHANDIZE, Fraudulent marking of :** Bill to prevent, 12. *Vide* Bills, No. 2.

**MESSAGES :**

*From His Excellency the Lieut. Governor:—*

Transmitting Despatches from and to Secretary of State, and from and to Major Gen. Doyle, 10. *Vide* Appendix, No. 2, pp. 9 to 36.

Transmitting Report of the Volunteer Brigade, 15. *Vide* Appendix, No. 4, 39 to 42.

*From the House of Assembly:—*

Acquainting this House of the appointment of a Committee to keep up a good Correspondence between the two Branches, and naming certain members to act on their behalf, 7. *Vide* Committees, No. (Joint) 8.

Acquainting this House of the appointment of a Committee to prepare a Joint Address of Congratulation to Her Majesty the Queen, and His Royal Highness the Prince of Wales, on the birth of a Prince, and naming certain members to act on their behalf, 11. *Vide* Committees, No. (Joint) 9.

Acquainting this House of the appointment of a Committee to prepare a Joint Address to His Excellency the Lieut. Governor, praying that His Excellency will be pleased to forward the Joint Congratulatory Addresses of both Houses to Her Majesty the Queen and His Royal Highness the Prince of Wales, on the birth of a Prince, and naming certain members to act on their behalf. *Vide* Committees, (Joint), No. 11.

Desiring Conference on the Fraudulent Marking of Merchandize Bill, and naming certain members to act on their behalf, 56. Conference agreed to, and Managers appointed, 56. Assembly acquainted, 56. *Vide* Conference, No. 1.

Desiring Conference on the amendments to the Supreme Court Terms Bill, and naming certain members to act on their behalf, 71. Conference agreed to, Managers appointed, and Assembly acquainted, 71. *Vide* Conference, No. 2.

**MILITARY Barracks :** Despatches, etc., relative to Act authorising the Government to sell the, 10. *Vide* Appendix, No. 2, 21 to 24.

**MILITIA (Colonial) :** Despatch relative to the expediency of defining the relation between the Government of a British Colony and the Colonial Militia and Volunteers, 10.—*Vide* Appendix, No. 2, 31.

**MOLASSES** : Petition praying for reduction of duty on, 21.

**MORRISON, J. W.**, Deputy Colonial Secretary : Appears at the Bar of this House with the Writ of Election, etc., for the Second District of King's County, 3. *Vide* Election.

**OYSTER Fisheries** : Bill for the regulation of the, 40. *Vide* Bills, No 21.

**PALMER, Hon. Mr.** : Presents Copy of Blue Book for 1862, and the Semi-Annual Returns of the Bank of P. E. Island for 1863-4, 11. *Vide* Appendix, No. 3, 37, 38.

**PARLIAMENT** :

The Colonial Proclamations proroguing and assembling, iii. to vii. inclusive.

Convened, 1.

Members present at the opening of, 1.

Prorogued, 84.

**PARTRIDGES (or Tree Grouse)** : Bill relating to, 32. *Vide* Bills, No. 14.

**PATENT Medicines** : Petition for reduction of duty on, 23.

**PETITIONS** : Presented to this House. *Vide* the following heads : Game ; License Law ; Bank of P. E. Island ; Molasses ; Iron (Pig) ; Steam Navigation ; Sugar (crushed) ; Patent Medicines ; Small Debt Court ; Good Templars ; Cradle Hills.

**PICKLED Fish** : Bill for regulating the Inspection of, for exportation from this Island, 37. *Vide* Bills, No. 19

**POLICE Court (Charlottetown)** : *Vide* Criminal Jurisdiction.

**POSTAGE** : To be charged to Contingent Accounts, 4.

**PRESIDENT** : *Vide* Council.

**PRINCE of Wales' College** : Bill to explain and amend the Act relating to the establishment of, 41. *Vide* Bills, No. 24.

**PROCEEDINGS and Debates** : Committee to make arrangements for the publication of, 3. *Vide* Committees, No. 7.

**PROCLAMATIONS** : Proroguing and summoning Parliament, iii. to vii. inclusive.

**PROMISSORY Notes** : Bill to amend the Law relating to, 13. *Vide* Bills, No. 3.

**QUORUM** : *Vide* Adjournments of the House.

**RAMSAY, James, Esquire** : Is appointed Reporter for the present Session, 4. Allowance for his services as such, 80.

**REVENUE** : Despatch relative to the Act for raising a, 10. *Vide* Appendix, No. 2, pp. 26, 27.  
Bill for raising a, 63. *Vide* Bills, No. 38.

**ROBINSON, John** : Bill to enable him to obtain Letters Patent, 77. *Vide* Bills, No. 43.

- ST. GEORGE'S** Lodge (Masonic): Bill to Incorporate, 20. *Vide* Bills, No. 9.
- ST. PAUL'S** Church (Charlottetown): Petition of Minister, etc., of, presented, 35. *Vide* Bills, No. 17.
- SAVINGS** Bank: Bill for the establishment of a Bank for Savings in P. E. Island, 16. *Vide* Bills, No. 5.
- SMALL** Debt Court: Petition praying for the establishment of a, at Mount Stewart Bridge, 27. *Vide* Bills, No. 26.
- SPEAKER**: *Vide* Assembly.
- SPECIE** Currency: Bill to amend the Act to regulate the, 18. *Vide* Bills, No. 6.
- STREAM** Navigation:
- Company. Bill to Incorporate, 50. *Vide* Bills, No. 30.
- Inland. Petition, 20. *Vide* Bills, No. 32.
- SEGAR** (Crushed): Petition praying for reduction of duty on, 23.
- SUPREME** Court: Bill to alter the time for holding certain Terms of, 55. *Vide* Bills, No. 34.
- SURROGATE** and Judge of Probate: Bill in addition to the Act relating to the office of, 60. *Vide* Bills, No. 37.

## TRADE

- Marks. Despatches, etc., relative to piracies of, in various British Colonies, 10. *Vide* Appendix, No. 2, 27, 28. Bill, No. 2.
- Patterns. Despatches, etc., relative to an arrangement by which Trade Patterns may be sent by Post, 10. *Vide* Appendix, No. 2, 29—31.

**TREASURER** (Colonial): Accounts of, for the Year ending 31st January, 1864, 14.

**TREE** Grouse: *Vide* Partridges.

## UNION

- Bank of P. E. Island:
- Despatch signifying Her Majesty's special confirmation of the Act to Incorporate the, 10. *Vide* Appendix, No. 2, 19.
- Bill to amend Act to incorporate the, 22. *Vide* Bills, No. 11.

**VALLEYFIELD** Presbyterian Church: Bill to Incorporate Ministers and Trustees of, 20. *Vide* Bills, No. 8.

**VISITORS** of Schools: Reports of, for Eastern and Western Districts, 25.

**VOLUNTEER** BRIGADE: Report on, for the Year 1863. *Vide* Appendix, No. 4, 39 to 42.

**WARRANT** Book: Copy of, for the Year ending 31st Jan., 1864, 20.

**WINSLOW**, John Hodges: Bill to authorize the sale and leasing of certain parts of the estate of, in this Colony, 40. *Vide* Bills, No. 20.

**WRIT** of Election: Deputy Colonial Secretary appears at the Bar and delivers the, for the Second Electoral District of King's County, 3. *Vide* Election.

**YEO**, Hon. James: Obtains leave of absence, 5, 56.