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ANNO SECUNDO

VICTORIÆ REGINÆ.

At the General Assembly of Her Majesty's 1839.
 Island of *Prince Edward*, begun and holden
 at *Charlottetown*, the Twenty-second Day of
 January, Anno Domini 1839, in the Second
 Year of the Reign of our Sovereign Lady
 VICTORIA, by the Grace of God of the
 United Kingdom of *Great Britain and Ire-*
land, Queen, Defender of the Faith:

Sir CHARLES
A. FITZ ROY,
Lieut. Governor.

T.H. HAVILAND
President of
Council.

W. COOPER,
Speaker.

And from thence continued, by Prorogation, to
 the Twelfth day of *March*, 1839, and in the
 Second Year of Her said Majesty's Reign; being
 the Second Session of the Fifteenth General
 Assembly convened in the said Island.

CAP. I.

AN ACT to further continue for One Year, and
 to amend an Act passed in the Seventh Year of
 the Reign of His late Majesty King *William* the
 Fourth, for raising a Revenue in this Island.

[Passed April 25th, 1839.]

WHEREAS it is deemed expedient to further
 continue and amend the Act herein-after
 mentioned: Be it enacted, by the Lieutenant Go-
 vernor, Council and Assembly, That an Act passed
 in the Seventh Year of the Reign of His late Ma-

Continues for
one year Revenue
Act of the 7th

year of King
Will. 4. pre-
viously continued
for one year by
Act of 1st year of
Queen Victoria.

Majesty King *William* the Fourth, intituled *An Act for the increase of the Revenue of this Island*, and continued for One year by an Act passed in the First Year of Her present Majesty's Reign, intituled *An Act to continue for One year, and to amend an Act passed in the Seventh Year of His late Majesty's Reign, intituled 'An Act for the 'increase of the Revenue of this Island,'* be, and the same is hereby further continued for one Year, from and after the Sixth day of *May* next, and no longer.

Advalorem duty
of £2 10s. per
centum, to be
paid on Hemp,
Cables, Cordage
&c.

II. And be it enacted, That from and after the Sixth day of *May* next, and during the continuance of this Act, there shall be levied and paid on all Hemp and Chain Cables, Anchors, Cordage, Canvass, Sails, Rigging, Blocks, Pitch, Tar, Oakum and Copper, imported into this Island, the sum of Two Pounds ten shillings on every One hundred Pounds worth thereof, in lieu of any Duty imposed upon the said Articles by the herein-before recited Act.

Continuance of
Act.

III. And be it enacted, That this Act shall continue and be in force until the Sixth day of *May*, which will be in the Year of our Lord One thousand eight hundred and forty, and no longer.

CAP. II.

An Act relating to Treasury Warrants.

[April 25th, 1839.]

WHEREAS it is deemed expedient for the due maintenance of Public credit that Interest should be made payable annually on Treasury Warrants which may in future be issued by the Government of this Island: Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That

Rec. Nov. 13, 1913.

the Treasurer of this Island shall, and he is hereby empowered and directed, from time to time, to pay in Gold or Silver, at the current value as received at the Treasury, or in Treasury Notes of this Island, at their specified value, out of the Treasury annually, on all Treasury Warrants which may be issued by the Government of this Island after the passing hereof, the Interest due on such Warrants respectively, on the same being demanded by the holder or holders thereof, until Ten days after notice has been given by the Treasurer, that unless sooner paid, he is prepared to pay any such Warrant, with all Interest due thereon, in conformity with an Act passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the payment of Interest on Warrants, which are not paid at the Treasury on demand*; and on every such Warrant every such payment or payments of Interest shall be endorsed by the Treasurer at the time of making the same.

Treasurer to pay annually all Interest on Treasury Warrants hereafter issued,

until called in to be paid in conformity with Act of the 5th Will. 4th.

Payment of Interest to be endorsed on Warrant.

II. And whereas it is deemed necessary that the Fees for the issuing of Warrants should be regulated by Law: Be it enacted, That the Clerk of the Executive Council, or other person authorized to issue Treasury Warrants, be allowed and paid the sum of Three Shillings, current money of this Island, and no more, for each and every Warrant which shall hereafter be issued by the Lieutenant Governor and Her Majesty's Council—any law or usage heretofore to the contrary notwithstanding.

Fee payable on issue of Treasury Warrants.

III. And be it further enacted, That this Act shall continue and be in force for Four Years from the passing thereof, and from thence to the end of the then next Session of the General Assembly.

Continuance of Act.

CAP. III.

AN ACT for rendering more effectual the Laws now in force, for regulating the Retail of STRONG and SPIRITUOUS LIQUORS.

[April 25th, 1839.]

WHEREAS notwithstanding the Laws now in force, relating to Licenses for retailing Strong and Spirituous Liquors, many persons are in the habit of retailing such Liquors without License first obtained, and frequently also, knowing such Liquors to have been illicitly imported into this Island, greatly to the loss of its Revenue, and to the injury of the morals of Society: Be it enacted, by the Lieutenant Governor, Council and Assembly, That at the opening of the Supreme Court of Judicature, at each and every of its sittings in the several Counties of this Island, the Justices or Justice presiding at said Court shall cause a list of all the Tavenkeepers, Innkeepers, and Retailers respectively, in the respective Counties, to whom Licenses have been granted as aforesaid, to be delivered to the Grand Jurors at such sittings of the said Court respectively; and it shall be particularly given in charge to such Grand Jurors, to make diligent inquiry and presentment, of all and every such person or persons, as shall be guilty of any breach of, or offence against any of the Acts of this Island, relating to the retail of Spirituous or Fermented Liquors, and such Presentment shall be deemed to be the commencement of a Prosecution for the offence therein set forth; and upon the same being made, it shall and may be lawful for the Justices, or any Justice presiding at such Court, to cause such Presentment to be delivered or transmitted to any Justice or Justices of the Peace, or Commissioner or Commissioners of Small Debts, residing in the County where the offence may have been committed, who is and are hereby authorized

Supreme Court to cause a list of licensed Tavernkeepers, &c. to be laid before Grand Jury.

Duty of Court in charging Grand Jury thereon.

Duty of Grand Jury on such charge given.

Duty of Court on Presentment made of unlicensed Retailers.

Authorizes a Justice of the Peace or Commissioner of Small Debts

and required, to issue a Summons against the Offender in the name of Her Majesty, her Heirs or Successors, and to proceed and adjudicate thereupon as Justices of the Peace might or could do, by virtue of the several Acts now in force relating to the retail of Spirituous and Fermented Liquors; and any Penalty adjudged against any person prosecuted by reason of such Presentment, shall be paid into the Public Treasury of this Island.

to proceed
against unlicen-
sed Retailers.

II. And be it enacted, That Notice of any Appeal or Writ of *Certorari*, had or obtained, from or upon any Judgment given, upon any such Prosecution as aforesaid, shall be served on or at the Office of Her Majesty's Attorney General for the time being, who shall thereupon defend the same in the name of Her said Majesty, her Heirs or Successors.

Mode of proceed-
ing on appeals
from decision of
Justice, &c.

III. And be it enacted, That the Grand Jury shall be, and they are hereby authorized and empowered, to suspend or wholly to annul and make void, the License of any Retailer of Spirituous or Fermented Liquors, in like manner as Justices of the Peace are now empowered to do, by the Act passed in the Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal the several Acts relating to Licenses for retailing Strong and Spirituous Liquors, and to make other provisions in lieu thereof*; and that no right of Appeal from any Judgment or Order of the said Grand Jury shall be allowed—any thing in the said recited Act to the contrary notwithstanding.

Grand Jury may
annul or make
void any License
in the same way
that Justices of
the Peace are
empowered to do.

No appeal from
judgment or or-
der of Grand
Jury.

IV. And be it enacted, That if any Tavern-keeper, Innkeeper or Retailer, shall sell, offer for sale, or have in his possession, any Wine, Brandy, Rum, Gin, Strong Beer, Ale, or any other Strong or Spirituous Liquors, knowing the same to have been illegally imported into this Island, such Tavern-keeper, Innkeeper or Retailer, on conviction

Imposes a fine of
£5 on any Ta-
vern-keeper, &c.
knowingly selling
any Wine, &c.
illegally impor-
ted.

Appropriation of
Fines.

thereof, on the oath of one or more credible Witness or Witnesses, before any one of Her Majesty's Justices of the Peace, of the County in which such offence hath been committed, shall forfeit and pay the sum of Five Pounds with Costs of Prosecution; one half of which sum shall be paid to any person who shall prosecute and sue for the same, and the other half into the Public Treasury of this Island, to and for the use of Her Majesty's Government.

CAP. IV.

AN ACT to revive and continue an Act, for regulating the sale of the INTEREST of LEASE-HOLDERS when taken in Execution.

[April 25th, 1839.]

Revives and continues Act of SG. 4, continuing and amending Act of 59 Geo. 3d, regulating the sale of the Interest of Leaseholders taken in Execution for 10 years, and from thence to the end of the then next Session of the General Assembly.

WHEREAS the hereinafter mentioned Act has expired, and it is deemed expedient to revive and continue the same: Be it enacted, by the Lieutenant Governor, Council and Assembly, That an Act passed in the Eighth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to continue and amend an Act passed in the Fifty-ninth Year of His late Majesty's Reign, intituled 'An Act to regulate the Sale of the Interest of Leaseholders, when taken in Execution,* be, and the same is hereby revived and continued in full force and effect, for the space of Ten years, and from thence to the end of the then next Session of the General Assembly.

CAP. V.

AN ACT for providing BUOYS and BEACONS for the Harbours therein mentioned, and for a NAUTICAL SURVEY of the Harbours of CHARLOTTETOWN and THREE RIVERS.

[April 25th, 1839.]

WHEREAS it is necessary for the encouragement of Navigation, and the safety and preservation of Shipping, that Buoys should be laid down, and Beacons erected, in and at the principal Ports and Harbours of this Island, and that the said Ports and Harbours, or some of them, should be regularly surveyed and accurately laid down: Be it enacted, by the Lieutenant Governor, Council and Assembly, That the sum of One hundred and fifty Pounds, appropriated by an Act of the present Session, for defraying the expense of constructing and establishing Buoys and Beacons, shall be expended in constructing Buoys and erecting Beacons, at the following places, (that is to say)—at the Harbour of *Charlottetown*, the sum of Sixty-seven Pounds, and at *New London*, the sum of Eight Pounds, in *Queen's County*; at *Three Rivers*, the sum of Thirteen Pounds ten shillings, at *Murray Harbour* the sum of Eight Pounds, at *Saint Peter's*, the sum of Eight Pounds, and at *Grand River*, the sum of Eight Pounds, in *King's County*; and at *Bedeque*, the sum of Thirteen Pounds ten shillings, at *Richmond Bay*, the sum of Thirteen Pounds ten shillings, and at *Cascumpeque*, the sum of Ten Pounds ten shillings, in *Prince County*.

£150 to be expended in establishing Buoys and Beacons for certain Harbours.

Harbours at which Buoys and Beacons are to be established.

II. And be it enacted, That such portions of the surplus and unappropriated Moneys, collected under and by virtue of an Act made and passed in the First Year of the Reign of Her present Majesty, intituled *An Act to make provision for the pay-*

Appropriated surplus money collected under Act of the 1st year of Queen Victoria, for making provision

for the expense
of maintaining
Light Houses, &c.

ment of a portion of the expense of maintaining Light Houses, and for the erection and maintenance of Buoys and Beacons, as may from time to time remain and be in the Treasury of this Island, is hereby placed at the disposal of the Lieutenant Governor and Council, for the purposes contemplated by this Act.

Provides for a
nautical Survey
of the Harbours
of Charlottetown
and Three
Rivers.

Mode in which
such Survey shall
be made.

Chart to be made.

Duty of Surveyor
General with re-
spect to Chart.

Limits expense of
preparing Chart.

Lieut. Governor
and Council to

III. And be it further enacted, That it shall and may be lawful for the Lieutenant Governor, by and with the advice of Her Majesty's Council, to appoint two skillful and competent Persons, to make a Nautical Survey of the entrance of the harbours of *Charlottetown* and *Three Rivers*; and such Persons, having agreed to perform such duty, shall ascertain by actual soundings and admeasurement; the true and exact positions of the several Bars, Shoals and Rocks of the said Harbours, and the true and exact course, depth and bearings of the Channels thereof, and to lay down the same, on paper or parchment, on a Scale of not less than Three inches to one mile, upon which the relative positions of the said Bars, Shoals, Rocks and Channels shall be accurately denoted and laid down; and also the depths of water at the several soundings so to be taken as aforesaid, which said Charts or Surveys, when complete, shall be deposited and kept in the office of the Surveyor General of this Island, who is hereby authorized and directed, to take the proper steps for having both the said Charts or Surveys Lithographed, and copies of each struck off, which said copies shall be sold to the Public, at the office of the said Surveyor General, at a price sufficient to cover the expences of Lithographing them as aforesaid: Provided always, that the expence of so Lithographing the said Charts or Surveys, shall not exceed in the whole the sum of Ten Pounds, Sterling.

IV. And be it enacted, That it shall be lawful for the Lieutenant Governor and Her Majesty's

Council, from time to time, out of the said surplus Moneys, to cause Buoy^s to be constructed and laid down, and Beacons to be erected, at any of the other Harbours in this Island not herein-before enumerated.

cause Buoy^s to be constructed at other Harbours.

CAP. VI.

AN ACT to amend an Act for regulating the several JAILS within this Island, and establishing PRISON DISCIPLINE therein.

[April 25th, 1839.]

BE it enacted, by the Lieutenant Governor, Council and Assembly, That the following Rules and Regulations be adopted, and observed in the several Jails and Houses of Correction in this Island, so far only as such Rules and Regulations can be adopted, without erecting any additional Building or Buildings to the Jails lately erected.

1. When the Keeper or other Officer shall visit Female Prisoners, he shall be accompanied by the Matron, or in case of her unavoidable absence, or if none shall have been appointed, by some Female Officer of the Prison, or by such other Female as the visiting Justices may name for that purpose.

Duty of Keeper of Prison on visiting Female Prisoners.

2. The Prisoners of each sex shall be divided into distinct classes, care being taken that Prisoners of the following classes do not intermix with each other:—First, Debtors, and Persons confined for contempt of Court on civil process:—Second, Prisoners convicted of Felony:—Third, Prisoners convicted of misdemeanors:—Fourth, Prisoners committed on charge or suspicion of Felony:—Fifth, Prisoners committed on charge or suspicion of Misdemeanors or for want of Sureties; such Prisoners as are intended as Witnesses on behalf of the Crown

Classification of Prisoners.

Visiting Justices
may employ Pri-
soners.

Duty of Keeper.

in any prosecution, shall also be kept separate: Pro-
vided always, that nothing herein contained shall be
construed to extend to prevent the visiting Justices
from authorizing, at their discretion, the employ-
ment of any Prisoner in the performance of any
menial office within the Prison, or its precincts, or
for the purpose of instructing others: And provided
also, that if the Keeper shall at any time deem it
improper or inexpedient for a Prisoner to associate
with the other Prisoners of the class to which he or
she may belong, it shall be lawful for him to confine
such Prisoner with any other class or description of
Prisoners, or in any other part of the Prison, until
he can receive the directions of a Visiting Justice
thereon, to whom he shall apply with as little delay
as possible, and who in every such instance shall
ascertain, whether the reasons assigned by the
Keeper, warrant such deviation from the established
Rules, and shall give such orders in writing as he
shall think fit, under the circumstances of the parti-
cular case.

Regulates the ad-
mission of food,
&c. to Prisoners
not receiving any
public allowance.

3. Prisoners who shall not receive any allowance
from the County or Government, whether confined
for debt, or before trial for any supposed crime or
offence, shall be allowed to procure for themselves,
and to receive at proper hours, any Food, Bedding,
Clothing, or other necessaries, subject to a strict
examination, and under such limitations and res-
trictions, to be prescribed by the visiting Justices,
as may be reasonable and expedient, to prevent
extravagance and luxury within the walls of a
Prison: all articles of Clothing and Bedding shall
be examined, in order that it may be ascertained
that such articles are not likely to communicate
infection, or facilitate escape.

When necessary,
a Surgeon to ex-
amine Prisoners.

4. That when necessary, a Surgeon shall ex-
amine any Prisoner who shall be brought into the
Prison, before he or she shall be passed into the
proper Ward; and no Prisoner shall be discharged
from Prison, if labouring under any acute or dan-

gerous distemper, nor until, in the opinion of a Surgeon, such discharge is safe, unless such Prisoner shall require to be discharged.

5. Every Prisoner shall be provided with suitable bedding, and every Male Prisoner with a separate bed, hammock or cot, either in a separate Cell, or in a Cell with not less than two other Male Prisoners: convenient places for the Prisoners to wash themselves shall also be provided, with an adequate allowance of Soap, Towels and Combs.

Lodging and classification of Prisoners.

6. No money under the name of Garnish, shall be taken from any Prisoner, on his or her entrance into the Prison, under any pretence whatever.

Abolishes Garnish money.

7. The visiting Justices shall, and they are hereby required, from time to time, to cause Copies of so much of the Rules as relate to the treatment and conduct of Prisoners confined therein, to be printed in legible characters, and to be fixed up in conspicuous parts of every Prison, so that every Prisoner may be enabled to have access thereto.

Duty of visiting Justices.

II. And be it further enacted, That if any person, in contravention of the existing Rules, shall carry or bring, or attempt or endeavour to carry or bring, into any Prison or House of Correction, any Spirituous or Fermented Liquor, it shall be lawful for the Jailer, Keeper, Turnkey, or any other of the Assistants to the said Jailer or Keeper, to apprehend, or cause to be apprehended, such offender, and to carry him or her before a Justice of the Peace, (who is hereby empowered to hear and determine such offence in a summary way) and if he shall lawfully convict such person of such offence, he shall forthwith commit such offender to the common Jail of the County in which such Offender shall be convicted, there to be kept in custody for any time not exceeding Two Months, nor less than Five Days, without Bail or Mainprize, unless such Offender shall immediately pay down such sum of

Duty of keeper of Prison, &c. where persons bring, or attempt to bring, any Spirituous Liquors, &c. into any Prison,

Justices of the Peace empowered to hear and determine in such case in a summary way.

Duty of Justice of the Peace on conviction.

Fine on party convicted.

Appropriation of Fine.

On information, Justice of the Peace may search for Spirituous Liquors in Prison,

Any found, may be seized.

Imposes a fine of £5 on any Keeper of Prison, &c. selling Liquor to Prisoners.

Mode of recovery of penalty.

money, not exceeding Forty Shillings, and not less than Five Shillings, as the Justice shall impose upon such Offender—to be paid, one moiety to the Informer, and the other moiety in aid of the maintenance of such Prison; and if any Justice shall receive information upon Oath, that any spirituous or fermented Liquor is unlawfully kept or disposed of in any Prison, he may enter and search, or issue his Warrant to enter and search, for such Liquor; and in case it shall be found, it shall be lawful for the person so finding to seize the same, and cause it to be disposed of as the Justice shall direct; and if any Jailer or Keeper of any Prison shall sell, use, lend or give away, or knowingly permit or suffer to be sold, used, lent or given away in such Prison, or brought into the same, any spirituous or fermented Liquor, in contravention of the existing Rules of such Prison, he shall for every such offence forfeit and pay the sum of Five Pounds—such Penalty to be recovered in a summary way before any one Justice of the Peace, upon the Oath of one or more credible witness or witnesses; and if the said Jailer or Keeper shall not immediately pay down the said Penalty, he shall be dismissed from his office, and be rendered incapable of holding the said office again; and in the event of a second conviction of any Jailer or Keeper of such offence, he shall forfeit and pay the sum of Ten Pounds, and shall be dismissed from his said office, and be rendered incapable of holding the same again; and if he shall not immediately pay down the said fine, the said Justice is hereby authorized and empowered to issue his Warrant against him, and to cause him to be imprisoned in the common Jail of the County, for a period not exceeding Two Months—the said fine or fines, if recovered from any Jailer or Keeper as aforesaid, to be applied, one moiety to the Informer, and the other moiety to be paid into the Treasury, for the use of Her Majesty's Government.

III: And be it further enacted, That the visiting Justices of any Jail or Prison shall have power, and

they are hereby empowered, to procure the services of any Clergyman professing the faith of any Prisoner or Prisoners, imprisoned from time to time, for Felony or Misdemeanors, or suspicion of Felony or Misdemeanor, for the performance of Divine Service, at such time or times as the said Justices may fix and agree upon; and they are hereby empowered to order the attendance of such Prisoner or Prisoners during such period of Divine Service; and should the said Prisoner or Prisoners refuse or neglect to obey the order of said Justices in this behalf, or behave improperly or irreverently during Divine Service, the said visiting Justices are hereby empowered to cause such Prisoner or Prisoners to be placed in solitary confinement, for a period not exceeding Five days.

Visiting Justice may procure any Clergyman to perform Divine Service in Prison, and compel attendance of certain Prisoners professing the same faith.

CAP. VII.

AN ACT to revive and continue an Act therein mentioned, relating to the shutting up of old ROADS.

[April 25th, 1839.]

WHEREAS the hereinafter mentioned Act has lately expired, and it is deemed expedient to revive and continue the same, for a limited period: Be it enacted, by the Lieutenant Governor, Council and Assembly, that an Act passed in the Third year of the Reign of His late Majesty King William the Fourth, intituled *An Act to empower the Administrator of the Government to shut up such Roads, or parts of Roads, as are no longer required*, be, and the same is hereby revived and continued for Ten years, and from thence to the end of the then next Session of the General Assembly.

Revives and continues Act of 3 W. 4, empowering the Administrator of the Government to shut up old Roads, for ten years, and from thence to the end of the then next Session of the General Assembly.

CAP. VIII.

AN ACT for the relief of certain of the AMERICAN LOYALISTS and Disbanded PROVINCIAL TROOPS, and their Representatives.

[April 25th, 1839.]

WHEREAS in the year One thousand seven hundred and eighty-three a number of the Proprietors of Lands in this Island, or their Attorneys for them, signed and delivered a paper to the Right Honorable Lord North, at that time one of His Majesty's Principal Secretaries of State, of which the following is a copy, viz:

Memorial of Proprietors to Lord North.

“We the undersigned Proprietors of Lands in the Colony of Saint John, being informed that many of the Loyalists at New York prefer a Settlement in that Island to one in Nova Scotia, and being very desirous of encouraging such a preference, and of affording an asylum to those deserving fellow subjects, do engage for ourselves, or as Attorneys for others, to grant as we hold of the Crown, and in the same proportions to each family as the other loyal Emigrants receive in Nova Scotia, one fourth of the quantity of Lands placed opposite to our names, which they shall receive upon their arrival at Charlottetown, by application to the Governor and Council: and that they may receive the said Lands in the fairest and most impartial manner, we will direct that the whole be divided by the Surveyor General into parcels of not less than One thousand acres each, and drawn for by Ballot, before the Governor and Council. In consideration of the preference expressed by those loyal Emigrants, and of the conditions offered by us, we have the fullest confidence that your Lordship will give instructions to the Commander in Chief of His Majesty's forces at New York, to furnish such Loyalists as prefer a settlement in Saint John's with provisions and Transports to carry them to Char-

lottetown, and every other necessary such as is given to those who go to Nova Scotia; and that your Lordship will also give such instructions to the Governør of Saint John's as will place such Emigrants in every respect on a similar footing with their brethren who settle in Nova Scotia. The undersigned are the more zealous in promoting this measure, as they are persuaded it will greatly advance the prosperity of an infant Colony, which from its natural and relative situation, is peculiarly adapted to become a permanent and valuable possession to Great Britain. And they confide in your Lordship's wisdom and equity, that you will obtain for them such an abatement of Quit Rent, as will place them on an equality with their neighbouring Colonies, and by that means remove a cause which may prevent many faithful subjects to this Country from emigrating to that Island from the American States, and which has hitherto obstructed the settlement and prosperity of this Colony.

(Signed)	Acres.
Edward Lewis, -	20,000
John Townson, -	10,000
John Stewart, -	10,000
Richard Burke, -	15,000
John Moteux, -	20,000
Robert M'Kay, -	20,000
Alexander Anderson, -	20,000
John Patterson, -	20,000
John Patterson, Attorney for Walter Patterson,	40,000
John Patterson, Attorney for Andrew Todd,	21,000
John Patterson, for Isaac Todd, -	20,000
John Townson, for Charles Pearce, -	10,000
Daniel Berreau, for Isaac Panchard,	20,000
Lawrence Sullivan, -	80,000
Philip Stephens, -	20,000

Lord Townshend, for acres, and gives Two thousand to a Loyalist, who is to draw for it in the mode prescribed above,	20,000
Lord Townshend, for General Honeywood,	10,000
Lord Townshend, for the Lord Chief Baron Montgomery,	60,000

And an additional Royal Instruction was sent to the Island, of which the following is a Copy :

“ **GEORGE R.**

Royal Instruc-
tions thereon.

L. S. “ Additional Instructions to our trusty and well beloved *Walter Patterson*, Esquire, our Captain General and Governor in Chief of our Island of *Saint John*, in America, or to the Commander in Chief of the said Island for the time being. Given at our Court of *Saint James's*, the Twenty-fourth day of *July*, Seventeen hundred and eighty-three, in the Twenty-third year of our Reign.

“ Whereas it has been represented unto us that certain of our loving subjects, Proprietors of Land in our Island of *Saint John*, in commiseration of the distress to which many of our faithful subjects, (heretofore Inhabitants of the Provinces and Colonies, now the United States of America), are reduced, in consequence of their loyalty and adherence to their allegiance to us, have agreed to transfer and convey certain proportions of the Lands by them respectively held by Grant from us, to such of our said faithful subjects who may be inclined to settle thereupon, and their Heirs and Assigns for ever in fee. In order, therefore, to promote such the laudable intentions of our said loving subjects, under the description aforesaid, who may be inclined to avail themselves of those intentions, it is our

will and pleasure that you do give directions, that all Conveyances and other Deeds necessary for transferring such parts of the Lands as shall be agreed to be conveyed to our faithful subjects aforesaid, be prepared by our Attorney General, of the said Island of *Saint John*, and when executed, be duly recorded in the Secretary's Office of the same; and that our Secretary of the said Island shall make out a Docket of all Deeds so recorded, specifying the name of the Proprietor conveying, of the persons to whom the Land is conveyed, the quantity of Land conveyed, and the number of the Lot of which the same was a part—which Docket shall from time to time be delivered by him to the Receiver General of our Quit Rents, who shall discharge, in the Rent Roll, such Proprietors from any future Quit Rent upon the land so conveyed, for which the person to whom the same is conveyed, his Heirs or Assigns, shall thereafter stand chargeable in the said Rent Roll. It is nevertheless our will and pleasure, that no land conveyed as aforesaid shall be liable to the payment of any Quit Rent to us, our Heirs and Successors, till Ten Years after the date of the respective conveyances.

“And in order to relieve our subjects who have agreed to convey a part of the Lands held by them as aforesaid, it is our will and pleasure, that any arrears of Quit Rent that may have been due and unpaid upon the quantities of land which they may convey shall be remitted, and they discharged therefrom; or in case such arrears shall have been paid, our Receiver General of the Quit Rents shall repay to the person or persons so conveying so much of the last payment made as shall have been paid for the part of the lands so conveyed. You are however to take especial care that, under colour of complying with this our Instruction, no collusive Conveyances are made, in order to obtain a remission of arrears of Quit Rent, but that in every instance the indulgence and encouragement hereby granted be confined to actual and *bona fide* convey-

ances for the purposes herein-before mentioned, and no other.

“And in order to prevent any person disaffected to us, and our Government, from becoming Settlers in our said Island, it is our will and pleasure, that all persons who shall be desirous of availing themselves of the good intentions of our said loving subjects, and to become Settlers upon the lands to be conveyed to them as aforesaid, shall, before the execution of the conveyance by them to be made, besides taking the usual Oath, directed by Law, also make and subscribe the following Declaration, in the presence of you or our Commander in Chief for the time being, or of such person or persons as shall by you or him be appointed for that purpose, viz :

‘ I *A. B.* do promise and declare that I will maintain and defend, to the utmost of my power, the authority of the King in his Parliament, as the supreme Legislature of this Island.’

“And it is our further will and pleasure, that the following conditions and exceptions be inserted in and made a part of every conveyance which shall be made of Lands within the meaning of this our Instruction, [that is to say:] ‘It is hereby further covenanted and agreed, by and between the parties above-mentioned, that if the Lands hereby granted and conveyed by the said *A. B.* to the said *C. D.* and his Heirs, as aforesaid, shall, at any time or times hereafter, come into the tenure or possession of any person or persons whatever, Inhabitants of our said Province, either by virtue of any Deed of Sale, Conveyance, Enfeoffment or Exchange, or by Gift, Inheritance, Descent, Devise, or Marriage, such person or persons, being Inhabitants as aforesaid, shall, within Twelve Months after his, her or their entry and possession of the same, take the Oaths appointed by Law, and make and subscribe the following Declaration, viz :

I *A. B.* do promise and declare, that I will maintain and defend, to the utmost of my power, the authority of the King in his Parliament, as the supreme Legislature of this Island, before some one of the Magistrates of the said Island; and such Declaration and Certificate of the Magistrate that such Oaths have been taken, shall be recorded in the Secretary's Office of the said Island, within Two Months after taking and making, and subscribing the same, in default of which this present Conveyance, and every part and condition thereof, shall be void, to all intents and purposes, and it shall and may be lawful, to and for the said *A. B.* his Heirs or Assigns, again to enter upon and repossess the Lands and Premises hereby granted and conveyed, and every part and parcel thereof, any thing herein contained to the contrary notwithstanding.

“ And it is our further will and pleasure, that our Surveyor General of Lands for the said Island, or his lawful Deputy, for the time being, shall lay out and survey the several parts and portions of Lands, which shall be conveyed to our faithful subjects aforesaid, and shall enter the several Surveys or Plots thereof of Record in his Office; and you, or our Commander in Chief for the time being, with the consent of our Council, shall grant a Certificate to the said Surveyor General for the actual expense attending such Survey, to be ascertained upon Oath, together with one half the usual and accustomed Fees of Office upon the same, directed to the Receiver General of our Quit Rents for our said Island, who shall pay and discharge the same out of any moneys belonging to us which shall be in his hands; and you shall also grant Certificates from time to time to our Attorney General, for his pains in preparing the Deeds of Conveyance herein before mentioned, provided the same shall not exceed Ten Shillings for each Deed; and also to our Secretary,

for one half the usual and accustomed Fees of Office, for recording such Deeds of Conveyance, directed to our Receiver General of Quit Rents, who shall pay and discharge the same in like manner; and you shall transmit to us, through one of our principal Secretaries of State, a distinct account of what Conveyances shall be made and Certificates given as herein directed, and also transmit a Duplicate thereof to our High Treasurer, or the Commissioners of our Treasury, for the time being.

And thereupon a Proclamation was issued, dated the Thirteenth day of *October*, One thousand seven hundred and eighty-three, as follows:

Governor's
Proclamation
founded thereon.

“By His Excellency *Walter Patterson*, Esquire, Captain General and Governor in Chief in and over His
L. S. Majesty's Island of *Saint John*, and the Territories thereunto adjacent, Vice Admiral of the same, &c.&c.&c.

“WALTER PATTERSON.

A PROCLAMATION.

“WHEREAS a number of the Proprietors of this Island have, very generously, given up a considerable portion of their Estates, to the amount in the whole of Two hundred thousand Acres, to be distributed among such of the Refugees, Provincial Troops, or other American Emigrants as are desirous to become its Inhabitants—the Lands to be granted by the Governor and Council in the same proportion and on the same terms as are offered in *Nova Scotia*, and to be given out of the different Townships by Lot, in the fairest and most equitable manner, according to the quantity signed for by each Proprietor: and whereas His Majesty has been graciously pleased to extend His Royal Bounties and Gratuities to all persons of the above descriptions, in every respect, and in like manner as to those who settle in *Nova Scotia*; I do therefore,

by and with the advice of His Majesty's Council, issue this Proclamation, hereby giving notice to all such of the Refugees, Provincial Troops, or other American Emigrants, as wish to become settlers in this Colony, that in a few days after their arrival at *Charlottetown*, they shall be put in possession of such Lands as they shall be entitled to, free of every expense—that they may depend upon the Land being good—neither mountainous, rocky or swampy—contiguous to navigable harbors—many parts convenient for the fishing, and in every respect preferable to any at this time unoccupied throughout His Majesty's American Dominions—and that, as a further encouragement, they will meet with a Government very warmly inclined to give them every assistance and protection in their power, and with loyal fellow subjects, from whom they will receive a most cordial and hearty welcome.

“ Given under my Hand and Seal, at *Charlottetown*, Island of *Saint John*, this Thirteenth day of *October*, One thousand seven hundred and eighty-three, and in the Twenty-third Year of His Majesty's Reign.

“ By His Excellency's Command,

(Signed) “ THOMAS DESBRISAY,
P. S.”

And whereas a number of Loyal Emigrants and Disbanded Troops, who, at the publication of said Proclamation, were at *New York*, or other parts of *America*, within the British lines, confiding in the promise, offer and description stated in the said Proclamation, made choice of and came to settle in this Colony in preference to *Nova Scotia*, and such persons by their laborious industry contributed greatly to the advancement of the Colony in Agricultural and other beneficial pursuits; but from want of information, many of the said Emigrants accepted of Grants with conditions absolutely

impracticable, and by no means similar to the conditions of the Grants of Townships from the Crown, and many never could procure Grants or Title Deeds, although their locations of Land were made in manner prescribed and directed by the Governor in Council, and others were unable to procure locations, notwithstanding various applications were made on their part to the proper authority: and whereas, although such Loyalists and others perfectly conformed to the spirit of the said Proclamation, and the intent of the same was fully attained and complied with on their part, yet certain Proprietors of Townships, who purchased them from the Grantees, (the said Grantees and Purchasers having neglected to perform the conditions of their Grants from the Crown,) did disturb many of the said Loyalists and others who had received locations as aforesaid, and did institute Suits in the Courts of Law and in Chancery, and by a variety of harassing procedures, did ultimately evict the said Loyalists and others from their possessions and locations, whereon they had been settled under the sanction of Government as aforesaid: and whereas an Act was passed by the Legislature of this Island, in the year One thousand seven hundred and ninety, purporting to be for the settlement of such Loyalists and Disbanded Troops as were then in possession of their locations, and which Act subsequently received His Majesty's Assent, and that of these many have been evicted as aforesaid; but although unable, owing to their poverty, to follow their opponents through the various Courts of Law and Equity, the said Loyalists and others did, by repeated applications to the Governors, and to the Council and House of Assembly, endeavour to preserve their rights: and whereas the justice of the Empire is pledged for the redress of such grievous wrongs:

Wherefore, for the relief of the said American Loyal Emigrants and Disbanded Troops, and their Representatives, be it enacted, by the Lieutenant

Governor, Council and Assembly, That all such Loyal Emigrants and Disbanded Provincial Troops as came to this Island previous to the year One thousand eight hundred, and their Representatives, and who did not obtain Grants from the Executive of this Island, or Deeds from the said Proprietors, or who having received such Grants or Deeds, or having been located upon such Lands, have been evicted therefrom as aforesaid, shall be entitled to a free Grant out of any Wilderness Lands, in the proportion herein-after mentioned, which at the time being may be vested in Her Majesty, Her Heirs and Successors.

Loyalists that came to this Island previous to the year 1800 not having obtained Grants of land, &c.

to be entitled to free Grants of lands from the Crown.

II. And be it further enacted, That it shall and may be lawful for the Lieutenant Governor, by and with the advice and consent of Her Majesty's Council, to appoint one fit and proper person resident in *Charlottetown*, as Commissioner for such Claims, who shall receive the Claims of all said Loyalists, and Disbanded Provincial Troops, and their Heirs and Assigns, and shall make exact copies of the Vouchers which they may produce in support of their claims, and who shall, and he is hereby empowered, to examine such Witnesses on Oath, and take such Affidavits as may be necessary for the establishing the facts of every case.

Lt. Governor, &c. to appoint a Commissioner to inquire into claims of Loyalists.

Duties of Commissioner.

III. And be it further enacted, That such Commissioner shall, immediately on his appointment, cause Advertisements to be inserted six times in each of the Newspapers which may then be printed in this Island, calling on all American Loyalists, Disbanded Provincial Troops, and their Representatives, who may have any unsatisfied claims for Land, to lodge the same with him within Six Months from the date of the first Advertisement.

Duty of Commissioner.

IV. And be it enacted, That said Commissioner shall, at the expiry of Twelve Months from the date of the first Advertisement, make out a

Duty of Commissioner.

statement of the claims, distinguishing those who have right in themselves, those who have right by inheritance, and those who have right by purchase, marking opposite such as he considers doubtful, the word "Doubtful," with a List of the Vouchers brought forward in support of every claim; and shall deliver one exact copy of such statement to the Lieutenant Governor, a like copy to the Clerk of the Legislative Council, and a like copy to the Clerk of the House of Assembly, verified by the Affidavit, marked (A.), in the Schedule hereunto annexed.

Commissioner may be called before Council and Assembly, and examined touching his report.

Effect of Commissioner's report if not objected to by Council or Assembly.

V. And be it further enacted, That at the first Meeting thereafter of the Legislature, the said Commissioner may be called before the Legislative Council, and also before the House of Assembly, and be by them examined touching said statement; and that so far as any claim in said statement, not marked "Doubtful" by said Commissioner, shall not be objected to by one or both of those bodies, all such claims so passed shall ever after be held to be unchallengeable, and that thereafter a statement of such claims so passed and allowed (omitting the Vouchers) shall be put upon Record in the Registry of this Island; and that at any time thereafter a copy of said statement, sufficiently verified, or a certificate by the Registrar of this Island, that any particular Claim or Claims are included in said statement, shall be admitted as satisfactory evidence of the Claims of every individual therein set forth.

Persons whose claims are allowed, entitled to grants of land from the Crown. Extent of Grant.

VI. And be it further enacted, That said Claimants shall severally receive out of any Land which at the time being may be vested in Her Majesty, her Heirs and Successors, a Grant for such quantity of Land as he or his Ancestor, or the Vendor under whom he claims, would have been entitled to as such American Loyalist, Disbanded Officer or Soldier, as aforesaid.

VII. Provided always, and be it further enacted, Proviso.
 That if any American Loyalist, Disbanded Officer
 or Soldier as aforesaid, his Heirs or Assigns, shall
 succeed in substantiating, to the satisfaction of the
 said Commissioner, and of the said two branches of
 the Legislature, his or their claim to any particu-
 lar quantity or description of Land, by virtue of any
 location, or of any Minute of Council, ordering any
 such particular quantity or description of Land to
 be located to such American Loyalist, Disbanded
 Officer or Soldier—which Land, at the time of the
 passing of this Act, shall continue to remain in the
 seizin or possession of any Proprietor or Propri-
 etors, by whom or on whose behalf the aforesaid
 Memorial to the Right Honorable Lord North was
 subscribed and delivered, or in the seizin or posses-
 sion of persons claiming by inheritance from or under
 the said Proprietor or Proprietors, it shall and may
 be lawful for the Lieutenant Governor, or other
 Administrator of the Government for the time
 being, by and with the advice of Her Majesty's
 Executive Council, to issue a Warrant of Survey to
 the Surveyor General, directing him to lay off and
 survey such quantity and description of Land as the
 said American Loyalists, Disbanded Officers or
 Soldiers, their Heirs or Assigns, shall so succeed
 in establishing their claims to; and upon the due
 execution of the said Warrant of Survey, and the
 return thereof into the Secretary's Office, a Grant
 shall be issued by the Administrator of the Govern-
 ment for the time being, under the Great Seal of
 this Island, of the Land so laid off and surveyed,
 to the said American Loyalist, Disbanded Officer
 or Soldier, his Heirs or Assigns: and in case the
 said Proprietor or Proprietors, their Heirs or Re-
 presentatives, shall have sold or leased such Lands
 before the passing of this Act, then it shall and may
 be lawful for the Lieutenant Governor, or other
 Administrator of the Government for the time
 being, by and with the advice and consent of Her
 Majesty's Executive Council, to issue a Warrant
 of Survey to the Surveyor General, directing him to

Land in the possession of any Proprietor or descendant from him, who may have signed memorial to Lord North, under certain restrictions, may be granted to Loyalists.

Mode of issuing such Grant.

lay off and survey other portions of unoccupied Land remaining in the possession of the said Proprietor or Proprietors, his Heirs or Representatives, to the extent to which the said American Loyalists, Disbanded Officers or Soldiers, their Heirs or Assigns, would become entitled by virtue of such Claims as aforesaid; and upon the due execution of the said Warrant of Survey, and the return thereof into the Secretary's Office, a Grant shall be issued by the Administrator of the Government for the time being, under the Great Seal of this Island, of the Land so laid off and surveyed, to the said American Loyalist, Disbanded Officer or Soldier, his Heirs or Assigns; and the Survey, Deed or Grant, and the recording thereof, shall be paid out of the Public Revenue of this Island.

Fees of Commissioner.

VIII. And be it further enacted, That the said Commissioner shall be entitled to the Fees in the Table of the Schedule hereunto annexed, marked (B.) and that the same shall be paid him out of the Revenue of this Island; but that he shall neither exact nor accept any fee, gratuity or reward from any Claimant or Claimants, under the penalty of forfeiting and paying to the person informing as to and proving such acceptance, ten times the amount so received—to be recovered before such Court as the amount of the penalty may require.

Suspending Clause.

IX. And be it further enacted, That nothing in this Act contained shall have any effect till Her Majesty's pleasure shall be known.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

FORM OF AFFIDAVIT BY COMMISSIONER.

I Commissioner appointed for receiving and examining into the Claims of the American Loyalists and Disbanded Provincial Troops, and their Representatives, make Oath and say, that the prefixed statement contains an account of all the Claims handed to me, so far as the Claimants chose to attest the same by Affidavit: That of those Claims, I judge those on the last part, under the head "Doubtful," to be really so, from the want of even such evidence as might at this distance of time be expected to substantiate such matter.

Schedule referred to in this Act.

SCHEDULE (B.)

COMMISSIONER'S FEES.

DRAWING every Affidavit which Claimants may require him to draw, *per* hundred words, One shilling.

Commissioner's Fees.

For every Oath, One Shilling.

Examining Documents delivered in support of every Claim, Five Shillings.

Copies of such as may appear necessary, *per* hundred words, One Shilling.

Copies of state of Claims, One Shilling *per* hundred words.

CAP. IX.

AN ACT to amend a certain Act therein mentioned, relating to POUNDS.

[April 25th, 1839.]

WHEREAS an Act passed in the Seventh year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal the Laws now in force for regulating Pounds, and to make more effectual provision in lieu thereof*, has been found insufficient, inasmuch as the Third Section of the said Act requires that before any trespassing Beasts shall be impounded, the damage committed by them shall be viewed by one or more Housekeepers, and a Certificate under their respective hands, stating the time when, the place where, and the Cattle (if known) by which such damage may have been committed, delivered to the Pound-keeper; and in consequence of the delay occasioned in procuring the attendance of such Housekeeper or Housekeepers, much increased damage and injury have been sustained: For remedy whereof, be it enacted, by the Lieutenant Governor, Council and Assembly, That if any damage shall be done or occasioned by any Horses, Sheep, Goats, Swine, or Neat Cattle, by breaking into any Inclosure, the fence whereof shall not be less than Four feet and a half in height, and otherwise a lawful fence, it shall and may be lawful for the person or persons whose Fence or Fences shall have been broken, and whose Inclosure shall have received such damage, to cause such Horses, Sheep, Goats, Swine, or Neat Cattle, to be taken to the nearest Pound; and the Keeper of such Pound shall, and he is hereby required to receive such Horses, Sheep, Goats, Swine, or Neat Cattle, and to impound the same, until they shall be claimed by their respective Owners—provided that within

If Horses, &c. break into inclosures, the fences of which are not less than 4½ feet in height,

Owners of inclosure may impound such Horses, &c.

Keeper of Pound to receive them.

Twenty-four hours after such trespassing Beasts shall have been impounded, the Owner or Occupier of such Inclosure shall deliver, or cause to be delivered, to the Keeper of the Pound, or leave, or cause to be left, at his Dwelling House, or other place of residence, his Affidavit, or the Affidavit of one or more credible person or persons, sworn before and attested by a Justice of the Peace, or a true copy thereof, certified by said Magistrate, stating the time when, and the place where such Horses, Sheep, Goats, Swine, or Neat Cattle, so impounded, committed such damage; and the said Pound-keeper shall cause such impounded Beast to be advertised, by posting up written notices in three of the most public places of the Town, Royalty, District, Township or Settlement, in which such Pound is situate, within Twenty-four hours after they shall have been impounded; and the person or persons injured may proceed against the Owner or Owners of such Horses, Sheep, Goats, Swine, or Neat Cattle, refusing to pay for the damage done by such Horses, Sheep, Goats, Swine, or Neat Cattle, as is directed by an Act made and passed in the Third Year of His said late Majesty's Reign, intituled *An Act to consolidate, amend, and reduce into one Act the several Acts of the General Assembly, relating to Trespasses, and for other purposes therein mentioned*; and it shall be the duty of the Pound-keeper to provide for and sustain all such Horses, Sheep, Goats, Swine, or Neat Cattle impounded, with necessary and wholesome provender and water; and the owner or owners of such Horses, Sheep, Goats, Swine, or Neat Cattle shall pay to the Keeper of the Pound, over and above the amount of damages which shall be adjudged to have been done by the said Horses, Sheep, Goats, Swine, or Neat Cattle, for each and every day the same shall be impounded, for every Horse and head of Neat Cattle so provided and sustained, the sum of One shilling and three-pence, and for every Sheep, Goat or Swine, the sum of Sixpence;

Owner of inclosure to deliver to Pound-keeper within 24 hours an Affidavit of damage, &c.

Duty of Pound-keeper.

Persons injured may proceed against Owners of Horses, &c. for damage done, as directed in Trespass Act 3d Will: 4, cap. 27.

Duty of Pound-keeper.

Owner of Horses, &c. to pay to Pound-keeper cost of feeding same.

Remuneration to Pound-keeper for feeding same.

Remedy of
Pound-keeper on
owners refusing
to pay the same.

and if the Owner or Owners of such Horses, Sheep, Goats, Swine, or Neat Cattle shall refuse to pay the same to the Keeper of the Pound, together with the charges of advertising, within Fourteen days after the trespassing Beasts shall be impounded, then the said Keeper of the Pound shall cause the Horses, Sheep, Goats, Swine, or Neat Cattle, so impounded as aforesaid, to be publicly sold, and the money arising therefrom, after deducting the charge of the said Keeper for his Fees, and for supporting the said Horses, Sheep, Goats, Swine, or Neat Cattle, whilst so impounded, and the damages adjudged to the person or persons injured as aforesaid, shall be paid to the Owner or Owners of the Horses, Sheep, Goats, Swine, or Neat Cattle so impounded and sold as aforesaid; and if no Owner or Owners shall appear within Six Months, the money so remaining shall be paid into the Treasury of this Island, to and for the purpose of erecting and maintaining such Pounds.

Appropriation of
proceeds of Sale.

Owner of inclosure neglecting to furnish the Affidavit required by this Act.

II. And be it further enacted, That if any person or persons who shall have impounded, or caused to have been impounded, any Horses, Sheep, Goats, Swine, or Neat Cattle as aforesaid, shall fail or neglect to deliver, or cause to be delivered, to the Keeper of the Pound, or to leave, or cause to be left, at his Dwelling House or place of residence, such Affidavit as aforesaid, within the time herein-before limited for that purpose, the said Pound-keeper shall not in such case exact or take from the Owner or Owners of such impounded Beasts, any fees, or any sum whatever for his charge in supporting such Horses, Sheep, Goats, Swine, or Neat Cattle; but the person or persons so failing and neglecting shall be liable to pay to the said Pound-keeper, over and above his other Fees by this Act allowed, the sum of One shilling and three pence for every Horse and head of Neat Cattle, and the sum of Sixpence for every Sheep, Goat or Swine, for each and every day the same shall be

Pound-keeper not entitled to demand costs of feeding Horses, &c. from the Owners thereof.

Remedy of
Pound-keeper in
such case.

provided and sustained by him, before being claimed by the Owner or Owners thereof respectively; and in default of payment, the same to be recovered on the Oath of such Pound-keeper, or other credible Witness or Witnesses, before any one of Her Majesty's Justices of the Peace for the County in which such Pound is situated, and levied, with reasonable Costs, by Warrant of Distress and Sale of the Offender's Goods and Chattels.

Mode of recovery thereof.

III. And be it further enacted, That the following Fees shall be allowed to Pound-keepers for the following services :

For receiving and impounding, for every Horse and head of Neat Cattle	£0	1	6
For Sheep, Goats, and Swine, per head	0	0	6
And an equal sum for every Twenty-four hours the same may be detained.			
Advertising	0	3	0

Fees of Pound-keeper for receiving and impounding Horses, &c.

IV. And be it further enacted, That the Third Clause of the above recited Act, intituled *An Act to repeal the Laws now in force for regulating Pounds, and to make more effectual provision in lieu thereof*, be, and the same is hereby repealed.

Repeals 3d clause of Act of the 7th Will. 4, cap. 23.

CAP. X.

AN ACT for appropriating certain Moneys therein mentioned, for the service of the Year of our Lord One thousand eight hundred and thirty-nine. [April 25th, 1839.]

May it please your Excellency;

WE Her Majesty's dutiful and loyal subjects, the House of Assembly of Prince Edward Island, towards appropriating the several Supplies,

raised for the exigencies of Her Majesty's Government, do humbly beseech, that it may be enacted—and be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That by or out of such Moneys as from time to time shall be and remain in the Public Treasury of this Island, there shall be allowed and paid, for the services hereinafter mentioned, the several sums following; (that is to say,)

£500 to Treasurer.

The sum of Five hundred Pounds to the Treasurer of this Island, for his Salary for the present year.

£260 to Collector of Excise, Charlottetown.

And a further sum of Two hundred and sixty Pounds to the Collector of Impost and Excise, for the District of *Charlottetown*, for his Salary for the present year.

£160 for the Salaries of Sub Collectors of Customs.

And a further sum of One hundred and sixty Pounds, to defray the Salaries of the Sub Collectors of Her Majesty's Customs.

£160 for the Salaries of Road Commissioners.

And a further sum of One hundred and sixty Pounds, to defray the Salaries of the Road Commissioners.

£30 to the person appointed to correspond with the Road Commissioners.

And a further sum of Thirty Pounds to the person appointed to correspond with the Road Commissioners, for his services for the present year.

£36 to defray the allowance to persons appointed to protect the Herring and Alewives' Fisheries.

And a further sum of Thirty-six Pounds, or as much thereof as may be necessary, to defray the allowance to persons appointed to protect the Herring and Alewives Fisheries.

£75 to Inspecting Field Officer.

And a further sum of Seventy-five Pounds to the Officer appointed to inspect the Militia, and to receive the Returns, for the present year.

£30 to the Wharfinger for Charlottetown.

And a further sum of Thirty Pounds to the Wharfinger of the Public Wharf at *Charlottetown*, for the present year.

£40 to the Market Clerk.

And a further sum of Forty Pounds, to defray the Salary of the Clerk of the Market at *Charlottetown*, for the present year.

£10 to Assayer of Weights and

And a further sum of Ten Pounds to the Assayer of Weights and Measures for *Queen's County*, in

lieu of office rent and other contingent expenses, for the present year. Measures for Queen's County.

And a further sum of Forty Pounds, to defray the Salary of the Messenger of the Executive Council, Crier of the Supreme Court, and Tipstaff in Chancery; for the present year. £40 to the Messenger of the Executive Council, Crier and Tipstaff.

And a further sum of Two hundred and fifty Pounds, to defray the contingent expenses of the Government for the present year. £250 for the contingent expenses of the Government.

And a further sum of Three hundred and fifty Pounds, to defray the Interest payable on Treasury Warrants at the Treasury, for the present year. £350 for Interest payable on Treasury Warrants.

And a further sum of One hundred Pounds for carrying into effect the Quarantine regulations, should the same be required, for the present year. £100 to carry into effect Quarantine Act.

And a further sum of Two hundred and fifty Pounds, to defray the expense of public Printing and Stationery, for the present year. £250 for Public Printing and Stationery.

And a further sum not exceeding Two hundred and sixty Pounds, to defray the Fees of the Colonial Secretary and Clerk of the Executive Council, and to provide Stationery, for the present year. £260 to Colonial Secretary and Clerk of Executive Council, and for Stationery.

And a further sum of Four hundred and fifty Pounds, or as much thereof as may be necessary, to defray the expense of Crown Prosecutions, including Fees of Crown Officers, Clerks of Courts, and Witnesses, also Coroner's and Jurors's Fees, for the present year. £450 for Crown Prosecutions and Fees of Witnesses, &c.

And a further sum not exceeding Fifty Pounds, to defray the Crown Officer's Fees for other services, should the same be required. £50 for Fees to Crown Officers, for other services.

And a further sum of One hundred Pounds, to defray the Chief Justice's travelling charges for the present year. £100 to Chief Justice, for travelling charges.

And a further sum of Twenty Pounds to each of the High Sheriffs of the different Counties, for their services for the present year. 20l. to each of the High Sheriffs of the several Counties.

And a further sum not exceeding Three hundred Pounds, to defray the Sheriffs' expenses for the Jails of the different Counties, and to provide Fuel and Bread for the same, during the present year. 200l. to defray Sheriffs' expenses of the three Counties.

40l. to the Keeper of the Jail in Charlottetown.

And a further sum of Forty Pounds, to defray the Salary of the Keeper of the Jail at *Charlottetown*, for the present year.

60l. to defray Salaries of Keepers of Jails in King's and Prince Counties.

And a further sum of Sixty Pounds, to defray the Salaries of the Keepers of the Jails at *Saint Eleanor's* and *Georgetown*, for the present year.

10l. to Medical Attendant of Charlottetown Jail.

And a further sum of Ten Pounds to the Medical attendant of *Charlottetown* Jail, and for supplying the prisoners with Medicines, for the present year.

4l. to each of the Medical attendants of Jails at St. Eleanor's and Georgetown.

And a further sum of Four Pounds to each of the Medical attendants of the Jails at *Saint Eleanor's* and *Georgetown*, for their attendance, and for supplying Medicines, should the same be required, for the present year.

15l. to Matron of Jail at Charlottetown.

And a further sum of Fifteen Pounds, to defray the Salary of the Matron of the Jail at *Charlottetown*, for the present year, should the same be required.

20l. for making alterations in the Jail at Charlottetown.

And a further sum, not exceeding Twenty Pounds, to defray the expense of completing certain alterations necessary for the separation of Prisoners in the Jail at *Charlottetown*.

500l. for the conveyance of the Mails by a Steam Vessel.

And a further sum, not exceeding Five hundred Pounds, to defray the expense of conveying the Mails for the present year, under the provisions of the Act, 6th Will. 4th, cap. 11.

150l. for conveying the Winter Mails to Nova Scotia.

And a further sum, not exceeding One hundred and Fifty Pounds, to defray the expense of conveying the Winter Mails to and from the Province of *Nova Scotia*.

240l. for conveyance of Inland Mails.

And a further sum of Two hundred and forty Pounds, to defray the expense of conveying the Inland Mails, for the present year.

20l. to Postmistress.

And a further sum of Twenty Pounds to *Elizabeth Chappell*, for conducting the business of the Inland Mails for the past year.

1600l. for Roads and Bridges.

And a further sum of One thousand six hundred Pounds, for the service of Roads and Bridges, to be expended agreeably to the Report of the Committee of the House of Assembly appointed for the consideration of all matters relating to Roads and

Bridges, with the exception of One hundred and fifty Pounds for the Main Western Road, which shall be expended on the same, in such manner, and on such parts thereof, as may be deemed most effectual towards its completion.

And a further sum of One hundred Pounds, to defray the incidental repairs of Roads and Bridges for the present year, to be equally apportioned among the three Counties.

100l. for incidental repairs of Roads & Bridges.

And a further sum of One hundred Pounds, in aid of opening the Road from *Cardigan River* towards *Mount Stewart*.

100l. for opening Road from Cardigan River towards Mount Stewart.

And a further sum of One hundred and twenty Pounds, in aid of building a new Bridge over the *Hillsborough* at *Mount Stewart Ferry*.

120l. for building Bridge over Hillsborough at Mount Stewart Ferry.

And a further sum of Twenty Pounds, for the completion of the Road from *Monaghan Settlement* to the *Georgetown Road*, should the sum assessed under the Road Compensation Act prove insufficient.

20l. for Road from Monaghan Settlement to Georgetown Road.

And a further sum of Thirty Pounds, towards repairing the Aboiteau at *Tryon River*, on condition of the Inhabitants subscribing the sum of Forty Pounds in aid of that object.

30l. for Aboiteau at Tryon River.

And a further sum of Twelve Pounds, to defray the expense of exploring and marking out the most eligible direction for a Road from Townships Numbers *Twenty-eight* and *Twenty-nine*, to the Scotch Settlement, on Township Number *Sixty-seven*.

12l. for Road from Lots No. 28 and 29, to Lot 67.

And a further sum of Fifteen Pounds, to purchase a right of way on Township Number *Forty-seven*, at *West River*, from the Highway to the mouth of the Harbour.

15l. for right of way on Lot. No. 47.

And a further sum of Thirty-five Pounds, to purchase a right of way from *John Clark*, through his lands at *Cape Traverse*.

35l. for right of way at Cape Traverse.

And a further sum of Fifteen Pounds, to *John Muttart*, *Cape Traverse*, to purchase a right of way through his farm.

15l. to John Muttart.

And a further sum of Seven Pounds ten shillings, towards purchasing a right of way through lands

7l. 10s. for right of way through Widow Praught's

lands on Lot 49. belonging to *Widow Praught*, on Township Number *Forty-nine*, providing the proprietor of the land adjoining pays a similar sum for the same purpose.

20l. for right of way through the farm of *William Mackie*.

And a further sum of *Twenty Pounds*, to purchase a right of way through the Farm of *William Mackie, Elliot River*.

4l. to *Lauchlan M'Leod*.

And a further sum of *Four Pounds* to *Lauchlan Macleod*, as a compensation for damage sustained by him in consequence of the new line of the *Princeton Road* having been run through his Farm.

2l. to *Thomas Barrett*.

And a further sum of *Two Pounds* to *Thomas Barrett*, of Township Number *Thirty-seven*, for landing part of the materials of the old *Mount Stewart Bridge*, on his producing a certificate from *Allan Macdonald*, of *Allisary*, of that service having been performed.

20l. for a Wharf at *Milford Shipyard*.

And a further sum of *Twenty Pounds*, towards defraying the expense of building a *Wharf* at *Milford Shipyard, Orwell River*, on the sum of *Sixteen Pounds* being paid by the Inhabitants to the *Road Commissioner* of the District, in aid of that object.

15l. for *Hard* on *Wharf* at *John Peter's* shore.

And a further sum of *Fifteen Pounds*, towards constructing a *Hard* or *Wharf* at *John Peter's shore, Three Rivers*, at the place nearest to the *Georgetown Wharf*.

10l. for *Horse Boat* for *Ellis River Ferry*.

And a further sum of *Ten Pounds*, towards defraying the expense of building a *Horse Boat* for *Ellis River Ferry*.

150l. for *Buoys* and *Beacons*.

And a further sum of *One hundred and fifty Pounds*, to defray the expense of placing *Buoys* and *Beacons* at certain *Harbours* in this Island.

329l. 4s. 5d. for expenditure incurred about *Government House*.

And a further sum of *Three hundred and twenty-nine Pounds four shillings and five-pence*, to defray the expenditure incurred in and about *Government House* during the past year.

150l. 16s. for repairs and additions to outbuildings on *Government Farm*, and for a *breastwork*.

And a further sum of *One hundred and fifty Pounds sixteen shillings*, to defray the estimated expense of certain repairs and additions to the outbuildings on *Government Farm*, and for constructing a *Breastwork* in front of a part of the said Farm.

50l. for painting

And a further sum of *Thirty Pounds*, to defray

the expense of **Painting the Court House at Charlottetown**, and other necessary repairs to that Building. Court House.

And a further sum of **Twenty Pounds**, to defray the expense of **Plans and Estimates of Public Works**, should the same be required, during the present year. 29l. for Plans and Estimates.

And a further sum of **Three hundred Pounds**, to defray the **Bounties on Vessels engaged in the Fisheries** of this Island, under the Act of *2d Victoria*, cap. 6. 300l. for bounties on Vessels engaged in the Fisheries.

And a further sum of **Forty Pounds**, to defray the amount of **Premiums allowed by Law** for the destruction of **Bears and Loupcerviers** for the present year, if required. 40l. for premiums for Bears and Loupcerviers.

And a further sum of **Twenty-five Pounds** to the *Central Agricultural Society*, in aid of the funds of that Institution. 25l. to Central Agricultural Society.

And a further sum of **Twenty-five Pounds** to the *Independent Agricultural Society*, in *Queen's County*. 25l. to Independent Agricultural Society, Queen's County.

And a further sum of **Twenty-five Pounds** to each of the two *Agricultural Societies* in *King's County*. 25l. to each of the two Agricultural Societies in King's County.

And a further sum of **Fifty Pounds**, to be divided equally among the four *Agricultural Societies* already established in *Prince County*. 50l. between 4 Agricultural Societies in Prince County.

And a further sum of **Twenty Pounds** to the **Office Bearers of the Charlottetown Mechanics' Institute**, in aid of the funds of that Institution. 20l. to office-bearers of the Mechanics' Institute.

And a further sum of **Ten Pounds** to *William Smallwood*, as a **Bounty** for his improvement on a **Horse Power Machine**. 10l. to William Smallwood.

And a further sum of **One hundred and twenty-five Pounds**, to be paid to *John Henry White*, to reimburse him for the expenses he was put to in defending an action brought against him by the Commissioners appointed under the Act of the **Third year of King William the Fourth**, to superintend the reprinting of the **Laws of this Island**; provided he will accept of this amount in full of any 125l. to John H. White.

claims he may suppose he has on account of his Contract for printing the said Laws.

107. to James B. Cooper & Co.

And a further sum of Ten Pounds to *James B. Cooper & Company*, for the amount of Colonial Duties paid by them on the importation of a new Printing Press and materials from the *United States*.

£4 11 3 $\frac{1}{2}$ to the Auxiliary Bible Society.

And a further sum of Four Pounds eleven shillings and three-pence half-penny, to the Treasurer of the *Prince Edward Island Auxiliary Bible Society*, being a remission of Impost Duty on a quantity of Bibles and Testaments imported by that Society last year.

£1000 for support of District and other Schools.

And a further sum not exceeding One thousand Pounds, for carrying into effect the provisions of the Act for the encouragement and support of District and other Schools.

300l. for Salaries of two Masters of Academy.

And a further sum of Three hundred Pounds, to defray the Salaries of the two Masters of the *Central Academy*.

25l. to the Master of the National School.

And a further sum of Twenty-five Pounds to the Master of the *National School*, for his Salary for the present year.

7l. 10s. to Hannah Bullpitt.

And a further sum of Seven Pounds ten shillings to *Hannah Bullpitt*, for conducting a preparatory School in *Charlottetown*.

12l. to John Arbuckle.

And a further sum of Twelve Pounds to *John Arbuckle*, for his services as a Teacher, up to the Twenty-eighth day of *April*, One thousand eight hundred and thirty-eight.

39l. 1s. 6d. for the School at Georgetown.

And a further sum of Thirty-nine Pounds one shilling and six-pence, being the unclaimed proceeds of Water Lot Number Fifteen, in *Georgetown*, sold by the Assessors of the said Town—to be paid to the Trustees of the School at *Georgetown*, as soon as the sum of Forty Pounds is subscribed and paid into their hands, by the Inhabitants, towards the erection of a School-house in said Town.

A sum sufficient for contingent expenses of Council and Assembly.

And a further sum sufficient to defray the contingent expenses of the Legislative Council and Assembly, for the past and present Sessions.

And a further sum of Sixty Pounds to the

Speaker, and Thirty Pounds to each of the other Members of the House of Assembly, to indemnify them for their Disbursements while attending the sittings of the House, during the late and present Sessions, with travelling charges, at the rate of eight-pence per mile, for one journey to and from the same, deducting a proportionate rate for each and every day's absence, except in the case of a Member being sick and under the care of a Physician.

60l. to the Speaker, and 20l. to each of the other Members of House of Assembly, and travelling charges, at the rate of Sd. per mile.

And a further sum of Forty-five Pounds three shillings and two-pence, to defray the balance due for the purchase of Books for the use of the Legislature.

45l. 3. 2d. for balance due for purchase of books for Legislature.

And a further sum of Fifteen Pounds to *Charles Young, Esq.* for his professional services to the Committee of Grievances of the House of Assembly, during the past and present Sessions.

15l. to Charles Young, Esquire.

And a further sum of Six Pounds nineteen shillings and six-pence, to defray the amount of Assessment on the Government Pews in the Episcopal Church in *Charlottetown*.

6l. 19s. 6d. for Assessment on Government Pews in Episcopal Church.

And a further sum of Three hundred Pounds, or as much thereof as the House of Assembly may deem necessary, to the Member or Members of a Delegation to *England*.

300l. to the member or members of delegation.

And a further sum not exceeding Ninety Pounds, for the maintenance and safe keeping of Insane persons, for the present year.

90l. for the maintenance of Insane persons.

And a further sum of Ten Pounds, to *Elizabeth Le Page*, of Township Number *Forty-nine*, towards the support of her husband, *Andrew Le Page*, a Lunatic.

10l. for the support of Andrew Le Page.

And a further sum of Five Pounds, to *Amable Bernard*, of Township Number *Fifty*, an aged and infirm Pauper.

5l. to Amable Bernard.

And a further sum of Seven Pounds to *John Dalziel, Esq.* towards the support and relief of *John Griffin* and his Sister, residing on Township Number *Sixty-one*.

7l. for the relief of John Griffin and his sister.

And a further sum of Ten Pounds, to *Jesse De Roche*, of Township Number *Seventeen*, towards

10l. for the support of William

and Margaret
Holmes.

the support of *William and Margaret Holmes*, two aged and infirm persons.

51. to Hercules
Frieze.

And a further sum of Five Pounds, to *Hercules Frieze*, of *New London*, a blind person in indigent circumstances.

51. to William
Macneill.

And a further sum of Five Pounds, to *William Macneill*, a blind person, residing in *Prince County*.

171. to James
Simpson, for the
support of several
blind persons.

And a further sum of Seventeen Pounds, to *James Simpson*, of *New London*, towards the support and relief of the following persons, to be apportioned as follows:

To *John Joseph Artman Betture*, Five Pounds.

To three blind persons of the name of *Mackay*, Twelve Pounds.

51. to Robert
Winter.

And a further sum of Five Pounds, to *James Arthur*, of *New Glasgow*, for the support and relief of *Robert Winter*, an insane person.

31. to Elizabeth
Crew.

And a further sum of Three Pounds, to *Elizabeth Crew*, of *Crapaud*, an aged person in indigent circumstances.

51. to John
Masters.

And a further sum of Five Pounds, to *John Masters*, towards the support of his son, an Idiot.

31. to Robert
Hancock.

And a further sum of Three Pounds, to *Robert Hancock*, of Township Number *Fifteen*, an aged and infirm person.

291. to the La-
dies' Benevolent
Society, for the
support of several
poor persons.

And a further sum of Twenty-nine Pounds, to the *Ladies' Benevolent Society*, to be by them expended towards the support and relief of the following persons, to be apportioned as follows:

To *John Macnamara*, Ten Pounds.

To *James Conway*, Six Pounds.

To *William Purcell*, Ten Pounds.

To *Elizabeth Patience, Senior*, Three Pounds.

321. to the Rev.
J. M'Lennan, for
the support of several
persons.

And a further sum of Thirty-two Pounds, to the Reverend *John MacLennan*, to be by him expended towards the relief and support of the following persons, to be apportioned as follows:

To *James Maddox*, Eight Pounds.

To an Idiot son of *Widow Macaulay*, Ten Pounds.

To *Alexander Finlayson*, an Idiot, Eight Pounds.

To *Christiana Macphee*, Three Pounds.

To *Ann Macdonald*, Three Pounds.

And a further sum of Six Pounds to the Reverend *Robert Douglas*, towards the support and relief of the following persons, to be apportioned as follows:

6l. to the Rev. R. Douglas, for the support of 2 infirm persons.

To *John Smith*, Three Pounds.

To *Christiana Maceachern*, Three Pounds.

And a further sum of Nine Pounds ten shillings to the Reverend *John Macdonald*, to be by him expended and distributed as follows:

9l. 10s. to the Rev. John Macdonald to be by him distributed among several persons.

To *Thomas Devereux*, Four Pounds.

To *Elizabeth Brow*, Two Pounds ten shillings.

To *Angus Mackillac*, towards the support and relief of his daughter, Three Pounds.

And a further sum of Five Pounds, to *William Cooper, Esq.* towards the support and relief of *William Johnston*, of *Grand River*.

5l. to William Cooper, Esq.

And a further sum of Five Pounds, to *Thomas Owen, Esq.* to be by him paid to *Margaret Campbell*, towards the support of her son, a Lunatic.

5l. to Thomas Owen, Esquire.

And a further sum of Sixteen Pounds, to the Honorable *Peter Stewart Macnutt*, to be expended towards the support and relief of the following persons, and apportioned as follows:

16l. to the Hon. P. S. Macnutt, towards the support of several persons.

To *Daniel Quigley*, Five Pounds.

To *Mary Hickey*, Three Pounds.

To *James Inglis*, Three Pounds.

To *Ann Trueguard*, Five Pounds.

And a further sum of Five Pounds to *Charles Russell*, an aged and infirm person, formerly a Teacher in this Island.

5l. to Charles Russell.

And a further sum of Five Pounds, to *Archibald Macniven*, of Township Number *Thirty*, towards the support of two of his sons, in a state of Idiocy.

5l. to Archibald Macniven.

And a further sum of Five Pounds, to *Francis Longworth, Senior, Esq.* towards the support and relief of *Johanna Redmond*.

5l. to Johanna Redmond.

And a further sum of Five Pounds, to *John Ready*, a blind person.

5l. to John Ready.

10l. to Malcolm
Macleod.

And a further sum of Ten Pounds, to *Malcolm Macleod*, of *Scotch Settlement*, Township Number *Sixty-seven*, a destitute and afflicted person.

5l. 10s. to the
Hon. D. Mac-
donald, for the
relief of several
persons.

And a further sum of Five Pounds ten shillings, to the Honorable *Donald Macdonald*, to be applied as follows:

To *Mary Macleod*, Three Pounds.

To *Rosanna Mitchell*, Two Pounds ten shillings, towards the support and relief of her husband.

3l. to Nancy
Keilly.

And a further sum of Three Pounds, to *Nancy Keilly*, towards the support and relief of her husband in his present distressed situation.

5l. to James
Jackson.

And a further sum of Five Pounds, to *James Jackson*, an aged person, in indigent circumstances.

15l. to the La-
dies' Benevolent
Society.

And a further sum of Fifteen Pounds, to the *Ladies' Benevolent Society*, in aid of their funds for the relief of the poor and indigent.

15l. towards re-
pairing Hope
River Wharf.

And a further sum of Fifteen Pounds, towards repairing the Wharf at *Hope River*, provided the Inhabitants benefited thereby contribute a sufficient sum to put the said Wharf in thorough repair.

E. L. M.
11/13/13