



JOURNAL

OF

THE LEGISLATIVE COUNCIL

OF

Prince Edward Island.

ANNO QUINTO VICTORIÆ REGINÆ.

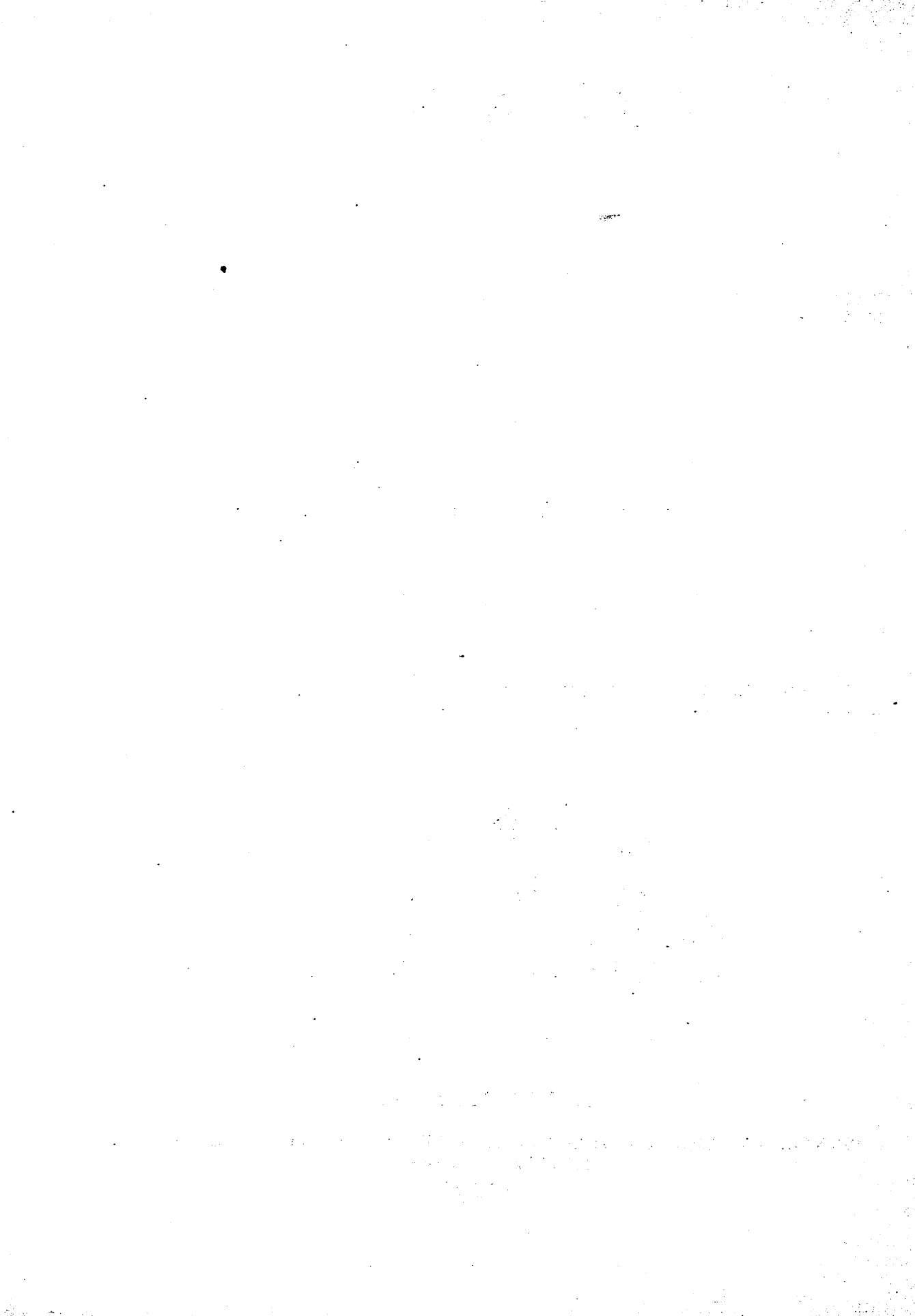
FIFTH SESSION OF THE FIFTEENTH GENERAL ASSEMBLY.



CHARLOTTETOWN:

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

1842.





BY HIS EXCELLENCY

SIR CHARLES AUGUSTUS FITZ ROY, K. H.

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

A PROCLAMATION.

WHEREAS the General Assembly of this Island stands prorogued to Wednesday, the Seventh instant :
I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued, until
Tuesday, the Seventh 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 Charlottetown, in the said Island, this
Fifth day of July, in the year of our Lord One thousand eight hundred and forty-one, and in the
Fifth year of Her Majesty's Reign.

By His Excellency's Command,

T. H. HAVILAND, Colonial Secretary.

God save the Queen.

BY HIS EXCELLENCY

SIR CHARLES AUGUSTUS FITZ ROY, K. H.

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

A PROCLAMATION.

WHEREAS the General Assembly of this Island stands prorogued to Tuesday, the Seventh instant :
I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued,
until Tuesday, the Ninth 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 September, in the year of our Lord One thousand eight hundred and forty-one, and in the
Fifth year of Her Majesty's Reign.

By His Excellency's Command,

T. H. HAVILAND, Colonial Secretary.

God save the Queen.

BY HIS HONOR
GEORGE WRIGHT,

President and Commander in Chief in and over Her Majesty's Island of Prince Edward, and its
G. Wright. Dependencies, Chancellor and Vice Admiral of the same, &c. &c. &c.

A PROCLAMATION.

WHEREAS the General Assembly of this Island stands prorogued to Tuesday the Ninth instant:
I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued,
until Tuesday, the Twenty-eighth day of 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 Second
day of November, in the year of our Lord One thousand eight hundred and forty-one, and in the
Fifth year of Her Majesty's Reign.

By His Honor's Command,

T. H. HAVILAND, Colonial Secretary.

God save the Queen.

BY HIS EXCELLENCY

SIR HENRY VERE HUNTLEY, KNIGHT,

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

A PROCLAMATION.

WHEREAS the General Assembly of this Island stands prorogued to Tuesday, the Twenty-eighth day of
December, instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued, until
Tuesday, the Twenty-fifth day of January 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
Twentieth day of December, in the year of our Lord One thousand eight hundred and forty-one,
and in the Fifth year of Her Majesty's Reign.

By His Excellency's Command,

T. H. HAVILAND, Colonial Secretary.

God save the Queen.

JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF
PRINCE EDWARD ISLAND.

TUESDAY, 25th January, 1842.

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

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

Mr. *Macintosh*,

Mr. *Dalrymple*,

The Hon. Mr. *Macnutt*,

Mr. *Holl*,

Mr. *Young*.

THE *President* acquainted the House, that His Excellency the Lieutenant Governor had provisionally appointed William Swabey, Esquire, by Warrant, bearing date the 20th of November last, a Member of this House, who desires to be admitted.

Ordered, That Mr. *Dalrymple* and Mr. *Macnutt* be a Committee to attend Mr. Swabey, and see him qualified.

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

Mr. Swabey was then introduced between Mr. *Dalrymple* and Mr. *Macnutt*, and took his seat.

The House adjourned during pleasure.

After some time, the House was formed.

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

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

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

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

It is my peculiar province and happiness to open this Session, by congratulating you upon the birth of a Prince, Heir apparent to the Throne of the British Empire; and also upon the perfect restoration of Her Majesty to health; these are blessings which will call forth the expression of your profound thankfulness to the Almighty, and of your warmest loyalty towards our gracious and excellent Sovereign.

Amongst the subjects of public interest which will claim your consideration, I have especially to call your attention to the Education Bill, which expires this Session; it is as unnecessary for me to descant upon the important influence which instruction has upon society, as it is for me to point out how truly it becomes the duty of those who possess education to assist in its extension; deception, bigotry, and crime diminish under its increase. I also recommend to your examination the system by which the Central Academy is governed, with the view of ascertaining whether by alteration in that Institution, it might not gain a higher position in the public estimation.

The replies which have been received from Her Majesty, to your several Addresses of the last Session, will be laid before you; I shall also take occasion to submit other matters, as they may arise, by Message.

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

The Public Accounts, and Estimates for the current year, will be placed before you, and I rely upon your voting the necessary supplies.

I must direct your attention to the danger to which the Records, and other documents relating to this Colony are exposed for want of proper buildings, wherein they can be lodged in safety, to construct which, it appears, an additional grant is necessary; this subject merits your earliest consideration.

The prosperity of this Colony being mainly dependent upon Agriculture, I would place that pursuit before your notice. I therefore recommend the consideration of measures tending to draw the chief efforts of the inhabitants towards the reclamation of the forest lands, and although I doubt the soundness of that policy which encourages one line of industry at the expense of others, yet I would suggest the advantage of offering encouragement to the importation by private individuals of improved breeds of farming stock, and seeds employed in husbandry, by admitting them free of duty.

I have to place again before you the subject of the proposed Asylum for "Insane persons and other objects of charity." I trust this measure so long contemplated will be now completed, for I will not believe it possible that you will continue to withhold so necessary a shelter from this afflicted class of our fellow creatures, towards which our Gracious Sovereign has so readily and largely contributed, upon the ground only that the "Curatorial powers" claimed by you over the projected institution have not been acceded to; more especially when this claim is declared by Her Majesty's government, to be an "encroachment" upon the rules which should separate from each other, the functions of the Executive government, and those of the Legislative bodies, and to which, you have already been informed Her Majesty's Government cannot be parties.

Although in the last Session you considered the distressed condition of these sufferers, and granted a sum of money towards their support, yet as you have no guarantee whatever for the proper application of this money, they have been doubtfully provided for.

By the Census just completed, I am informed that there are on this Island seventy-eight Insane thirty Deaf and Dumb, and twenty-nine Blind persons: a statement that I feel confident, will accelerate the consideration of this question.

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

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

As my chief desire is the prosperity of this Island, so I gladly avail myself of this opportunity of earnestly assuring you that I shall at all times be ready to concur with you in all measures appearing practically conducive to that end.

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

Prayers were then read.

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

Ordered, That *Mr. Holl*, *Mr. Young* and *Mr. Swabey* be a Committee to prepare a Draft pursuant to the above Resolution.

On motion, *Ordered*, that *Mr. Macintosh*, *Mr. Macnutt* and *Mr. Young* be a Committee to revise the Journals of the House each day.

On motion, *Ordered*, that *Mr. Brecken*, *Mr. Dalrymple* and *Mr. Young* be a Committee to examine into, and report upon such Laws as are near expiring.

On motion, *Ordered*, that the Journals of this House be printed daily, and that One hundred and twenty copies thereof be furnished.

Adjourned until One o'clock to-morrow.

.....

WEDNESDAY, 26th January, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Mr. Attorney General*, President;

The Hon. *Mr. Brecken*,

Mr. Worrell,

Mr. Dalrymple,

Mr. Macnutt,

The Hon. *Mr. Holl*,

Mr. Young,

Mr. Swabey.

PRAYERS.

READ the proceedings of yesterday.

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

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

The House was adjourned during pleasure, and put into a Committee on the said Address. After some time, the House was resumed, and Mr. *Young* reported, that the Committee had gone through the Address, and that they had made several amendments thereto.

The amendments being twice read by the Clerk, were agreed to by the House.

Ordered, That the said Address, with the amendments, be engrossed, and read a third time to-morrow.

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

MESSAGE.

H. V. HUNTLEY, Lieut. Governor.

The Lieutenant Governor takes the earliest opportunity of submitting to the Legislative Council, in Her Majesty's name, a Bill to render valid certain proceedings of the Executive Government of this Island. The Lieutenant Governor also lays before the Council a copy of a Despatch from the Right Honorable Lord Stanley, Her Majesty's principal Secretary of State, explaining the necessity of such a measure.

Government House, 26th January, 1842.

For Despatch and Bill referred to in the said Message, Vide Appendix No. (1.)

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

On motion, the said Bill to confirm and render valid certain proceedings of the Executive Government of this Island, was read a first time.

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

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

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

Ordered, That the said Bill be engrossed, and that the title be "An Act to confirm and render valid certain proceedings of the Executive Government of this Island."

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

Resolved, That a Committee be appointed, in accordance with His Excellency's Speech, to examine into and report upon the state of the Central Academy, and upon general Education, and to report their proceedings from time to time, with power to send for persons, papers and records.

Ordered, That Mr. *Brecken*, Mr. *Macnutt*, Mr. *Holl*, Mr. *Young* and Mr. *Swabey* do compose the said Committee.

On motion, *Ordered*, that the Clerk of this House do transcribe the Rules and Standing Orders of the House, and that the same be published in the form of a Pamphlet, under the superintendence of the Committee appointed for the revision of the Journals; and that fifty copies thereof be furnished.

Adjourned until Twelve o'clock to-morrow.

THURSDAY, 27th January, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

Mr. *Worrell*,

Mr. *Macdonald*,

Mr. *Dalrymple*,

The Hon. Mr. *Macnutt*,

Mr. *Holl*,

Mr. *Young*,

Mr. *Swabey*.

PRAYERS.

READ the proceedings of yesterday.

Pursuant to the Order of the Day, the Address to His Excellency the Lieutenant Governor, in answer to His Excellency's Speech, was read a third time, and passed; whereupon the President signed the same, and it is as follows:—

To His Excellency SIR HENRY VERE HUNTLEY, Knight, Lieutenant Governor and Commander in Chief, in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please Your Excellency;

We the Members of Her Majesty's Legislative Council, in General Assembly convened, request that Your Excellency will be pleased to accept our thanks for the Speech delivered by you, at the opening of the present Session of the General Assembly. We heartily coincide with Your Excellency in your congratulations upon the Birth of a Prince, Heir apparent to the British Throne; and also upon the perfect restoration of Her Gracious Majesty to health—events which not only fill all hearts with joy, but also call forth, throughout every portion of Her Majesty's Dominions, sentiments of profound thankfulness to the Almighty, and feelings of the warmest and most devoted loyalty to Her Majesty's Sacred Person, and attachment to Her Royal offspring.

We fully concur with Your Excellency upon the important influence which Education and instruction have upon Society, and that they should be widely disseminated among the younger portion of the Inhabitants of this Colony. We beg to assure Your Excellency, that this all-important question, shall ever receive our fullest consideration, and we further assure Your Excellency that we shall carefully examine and inquire into the system by which the Central Academy is governed, and that we will readily unite in giving our support to such a measure as may be best calculated to give that Institution that exalted position which would render it permanently useful.

Your Excellency may rely on our best attention being given to the replies that have been received from Her Majesty to our Addresses passed during the last Session, and also, to such other matters as Your Excellency may be pleased to lay before us, by Message.

We feel that Your Excellency is sincere, when you express your desire for the prosperity of this Island, and we beg to assure Your Excellency that our best and most earnest attention shall be bestowed on every measure that may be conducive to the general welfare and prosperity of this Colony.

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

On motion, Ordered, that the same Committee who prepared the Address, do wait upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive this House with their Address, who returning, reported that His Excellency was pleased to appoint Twelve o'clock to-morrow for that purpose.

Pursuant to Order, the Bill intituled "An Act to confirm and render valid certain proceedings of the Executive Government of this Island," was read a third time.

Resolved, That the said Bill do pass.

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

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

House of Assembly, January 25th, 1842.

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

Ordered, That Mr. Palmer, Hon. Mr. Pope, Mr. Clark, Mr. Montgomery and Mr. Longworth do compose the said Committee.

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

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

Ordered, That Mr. Brecken, Mr. Holl and Mr. Young do compose the said Committee.

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

Resolved, That an humble Address be presented to Her Most Gracious Majesty, congratulating Her Majesty upon the auspicious event of the Birth of an Heir apparent to the Crown of these Realms; as announced in the Speech of His Excellency the Lieutenant Governor, delivered at the opening of the present Session, and that the House of Assembly be requested, by Message, to join this House in such Address.

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

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

Adjourned until Eleven o'clock to-morrow.

FRIDAY, 28th January, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

The Hon. Mr. *Macnutt*,

Mr. *Worrell*,

Mr. *Holl*,

Mr. *Macdonald*,

Mr. *Young*.

Mr. *Dalrymple*,

Mr. *Swabey*.

PRAYERS.

READ the proceedings of yesterday.

At Twelve o'clock, the House proceeded to Government House with their Address, in answer to His Excellency's Speech at the opening of the Session; and having returned, the President reported, that His Excellency had been pleased to receive the same, and to give an answer thereto, which was read by the Clerk, and is as follows:—

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

I receive your Address with the sincerest thankfulness.

The sentiments expressed by you upon the blessings lately granted by Almighty God to the Nation, are well calculated to prove how deeply they are appreciated in this Island, foremost in loyalty to Her Majesty our beloved Sovereign.

I thank you for the assurances of your examination into the state of Education generally, and that also of the Central Academy, with other matters as they may be submitted; the Colony has much to hope for, in this exercise of your talent and care.

H. V. HUNTLEY, Lieut. Governor.

Government House, January 28th, 1842.

Adjourned until One o'clock to-morrow.

SATURDAY, 29th January, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

The Hon. Mr. *Macnutt*,

Mr. *Macdonald*,

Mr. *Holl*,

Mr. *Macintosh*,

Mr. *Young*.

Mr. *Dalrymple*,

Mr. *Swabey*.

PRAYERS.

READ the proceedings of yesterday.

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

In the House of Assembly, Friday, January 28th, 1842.

Resolved, That this House do agree to a Joint Address to the Queen, congratulating Her Majesty on the auspicious event of the Birth of an Heir apparent to the Crown of these Realms.

Ordered, That Mr. Thomson, the Hon. J. S. Macdonald, Mr. Macintosh, Mr. D. Macdonald, Mr. J. Dingwell, Mr. Macneill, Mr. Le Lacheur and Mr. Maclean be a Committee to join the Committee of the Legislative Council, to prepare the said Address.

Ordered, That a copy of the foregoing Resolution be communicated by Message to the Legislative Council.

And also, Mr. President,

The House of Assembly have passed the Bill intituled "An Act to confirm and render valid certain proceedings of the Executive Government of this Island," without any amendment.

Adjourned until One o'clock on Monday next.

.....

MONDAY, 31st January, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. *Mr. Brecken*,

Mr. Macintosh,

Mr. Dalrymple,

Mr. Macnutt,

The Hon. *Mr. Holl*,

Mr. Young,

Mr. Swabey.

PRAYERS.

READ the proceedings of Saturday.

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

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

"An Act to confirm and render valid certain proceedings of the Executive Government of this Island."

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

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

MESSAGE.

H. V. HUNTLEY, Lieut. Governor.

The Lieutenant Governor transmits to the Legislative Council copies of the following Despatches and Documents:—

No. 1. Despatch from Lord John Russell, No. 54, dated 17th June, 1841, in answer to the Address of the Legislative Council, to the Queen, praying Her Majesty to order a negociation to be entered into with the Proprietors of Lands in this Colony, for the purchase by the Crown, of their Lands.

No. 2 and 3. Despatches from Lord John Russell, No. 57 and 58, dated 26th and 28th June, 1841, in answer to a series of Resolutions of the House of Assembly, relating to the State of the Colony; and counter Resolutions of the Legislative Council, on the same subject.

No. 4. Order of Her Majesty in Council, dated 1st April, 1841, leaving to its operation, an Act passed by the Legislature of this Island in the Session of 1840, further to continue for One Year, and to further amend an Act passed in the Seventh year of His late Majesty's Reign, for raising a Revenue in this Island.

No. 5. Order of Her Majesty in Council, dated 21st August, 1841, leaving to their operation Eight Acts, passed by the Legislature of this Island, in the Session of 1841.

No. 6. Order of Her Majesty in Council, dated 21st August, 1841, specially confirming an Act passed by the Legislature of this Island in the Session of 1841, to authorise the appointment of Coroners in Prince and King's Counties.

No. 7. Order of Her Majesty in Council, dated 6th October, 1841, leaving to their operation Two Acts passed by the Legislature of this Island, in the Session of 1841.

Government House, 29th January, 1842.

For Despatches, and Orders of Her Majesty in Council, Vide Appendix Nos. [2 to 7.]
The said Message and Papers were read, and ordered to lie on the table.

Mr. *Young*, from the Committee appointed to examine into and report upon the Expiring Laws, made a Report, which he read in his place, and is as follows:—

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

The Act of 2d Victoria, cap. 4, intituled "An Act to continue and amend the Act regulating the Public Wharf of Charlottetown," will expire on the last day of the present Session.

That the Act of 2d Victoria, cap. 1, intituled "An Act to further continue for a limited period, an Act passed in the Fifty-ninth year of the Reign of His late Majesty King George the Third, intituled 'An Act for regulating Juries, and further declaring the qualifications of Jurors,' " will expire on the last day of the present Session.

That the Act of 4th Victoria, cap. 12, intituled "An Act further to continue for One Year the Act for granting a Bounty on Vessels engaged in the Fisheries of this Island," will expire on the 29th April next.

That the Act of 3d Victoria, cap. 12, intituled "An Act to regulate the Floating of Logs, Scantling, Deals, and other kinds of Wood down the Rivers and lesser Streams in this Island," will expire on the 29th April next.

That the Act 4th Victoria, cap. 2, intituled "An Act further to continue for One Year, and further amend an Act passed in the Seventh Year of His late Majesty's Reign, for raising a Revenue in this Island," will expire on the Sixth day of May next.

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

Mr. *Brecken*, from the Joint Committee of the Council and Assembly, appointed to prepare an Address to Her Most Gracious Majesty, congratulating Her Majesty upon the Birth of an Heir apparent to the Crown of these Realms, presented the draft of an Address, as prepared by the Joint Committee, which he read in his place, and was afterwards read by the Clerk, and is as follows, viz:

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN;

We Your Majesty's dutiful and loyal subjects, the Legislative Council and Assembly of Prince Edward Island, in General Assembly convened, humbly approach the Throne with sentiments of the most sincere and affectionate attachment to Your Majesty's Person, to offer to Your Majesty our congratulations upon the Birth of a Royal Prince, and Heir apparent to the Throne of these Realms, and upon Your Majesty's restoration to health.

We beg to assure Your Majesty, that in no portion of your extensive dominions has this auspicious event diffused more heartfelt joy and gratitude, than among your Majesty's devoted subjects the Inhabitants of Prince Edward Island, as it has afforded them the additional security of perpetuating the succession to the Crown, in the immediate line of Your Majesty's illustrious Parent, whose memory is deeply and deservedly cherished, as the revered Patron of our Soil, and a further guarantee for the rights and liberties of Your Majesty's faithful subjects.

We trust that the Almighty disposer of events will continue to bless your Majesty, your Royal Consort, and your Royal Offspring, with every happiness; and that at a very distant period the Sceptre may descend to your Royal Son, and that he may possess those great and noble qualities which have so eminently adorned Your Majesty's illustrious race, is our united and fervent prayer.

On motion, the said Address was agreed to, and ordered to be engrossed.

Resolved, That a Committee be appointed to join a Committee of the House of Assembly, to prepare an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to forward the Joint Address of the Council and Assembly to Her Majesty, on the auspicious event of the Birth of an Heir apparent to the Crown of these Realms.

Ordered, That the same Committee who prepared the Address to Her Majesty, be a Committee on the part of this House to prepare the Address to His Excellency the Lieutenant Governor.

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

Resolved, That Mr. *Swabey* be appointed one of the Committee to take charge of the Government House, and Public Furniture, in the room of Mr. *Livett*, who has resigned his seat as a Member of this House.

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

Adjourned until One o'clock to-morrow.

TUESDAY, 1st February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

The Hon. Mr. *Holl*,

Mr. *Macintosh*,

Mr. *Young*,

Mr. *Dalrymple*,

Mr. *Swabey*.

Mr. *Macnutt*,

PRAYERS.

READ the proceedings of yesterday.

Mr. *Brecken*, from the Joint Committee of the Council and Assembly, appointed to prepare an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to forward the Joint Address of both Houses to Her Majesty, on the auspicious event of the Birth of an Heir apparent to the Crown of these Realms, presented the Draft of an Address, as prepared by the Joint Committee, which he read in his place, and was afterwards read by the Clerk, and is as follows:—

To His Excellency SIR HENRY VERE HUNTLEY, Knight, Lieutenant Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The Legislative Council and House of Assembly having unanimously adopted a Joint Address to the Queen, congratulating Her Most Gracious Majesty on the happy event of the Birth of a Royal Prince, and Heir apparent to the Throne of these Realms, and upon Her Majesty's restoration to health, respectfully request that Your Excellency will be pleased to forward the same, for the purpose of being laid at the foot of the Throne.

On motion, the said Address was agreed to, and ordered to be engrossed.

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

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

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

Resolved, That a Message be sent to the House of Assembly, praying they will permit the Honorables J. S. Macdonald and Joseph Pope, and William Dingwell, Esq. three of their Members, to attend a Special Committee of this House to-morrow, at three o'clock, to be examined upon the state of the Central Academy, and upon General Education.

Adjourned until One o'clock to-morrow.

WEDNESDAY, 2d February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. *Mr. Brecken*,
Mr. Dalrymple,
Mr. Macnutt,

The Hon. *Mr. Holl*,
Mr. Young,
Mr. Swabey.

PRAYERS.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. Thomson, with a Bill intituled "An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways," to which they desire the concurrence of the Legislative Council.

Also,

House of Assembly, Wednesday, 2d February, 1842.

Resolved, That a Committee be appointed to join a Committee of the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the Address, praying that His Excellency will be pleased to forward the Joint Address of both Houses to Her Majesty, on the Birth of an Heir apparent to the Crown of these Realms.

Ordered, That the Committee who prepared the Address, be a Committee to wait upon His Excellency with the same.

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

And also, Mr. President,

The House of Assembly doth grant leave to the Honorables J. S. Macdonald and Joseph Pope, and William Dingwell, Esq. three of its Members, to attend a Special Committee of the Legislative Council, to be examined on the state of the Central Academy, and upon General Education.

Read a first time, the Bill intituled "An Act to provide a less expensive mode of carrying into operation the provisions of the several Acts now in force, for regulating the laying out and altering of Highways."

Mr. *Brecken*, 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 Address of both Houses to Her Majesty, on the auspicious event of the Birth of an Heir apparent to the Crown of these Realms—having returned, reported that they had waited on His Excellency, who was pleased to say, that he would have great pleasure in forwarding the same.

Adjourned until One o'clock to-morrow.

THURSDAY, 3d February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The HON. *Mr. Brecken,*
Mr. Macdonald,
Mr. Dalrymple,
Mr. Macnutt,

The HON. *Mr. Holl,*
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, *Mr. Brecken*, the Senior Member present took the Chair.

Read the proceedings of yesterday.

On motion, Ordered, that the Bill intituled "An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways," be read a second time on Monday next.

Ordered, That *Mr. Macnutt* have leave to absent himself until Friday the Eleventh instant.

Adjourned until One o'clock to-morrow.

FRIDAY, 4th February, 1842.

PRESENT:

The HON. *Mr. Macdonald,*
Mr. Dalrymple,
Mr. Macnutt,

The HON. *Mr. Young.*
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, *Mr. Macdonald*, the Senior Member present, took the Chair, and there not being a Quorum, declared

The House adjourned until One o'clock to-morrow.

SATURDAY, 5th February, 1842.

PRESENT:

The HON. *Mr. Dalrymple,*
Mr. Young.

The HON. *Mr. Swabey.*

PRAYERS.

IN the absence of the *President*, *Mr. Dalrymple*, the Senior Member present, took the Chair, and there not being a Quorum, declared

The House adjourned until One o'clock on Monday next.

MONDAY, 7th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. <i>Attorney General</i> , President;	
The Hon. Mr. <i>Brecken</i> ,	The Hon. Mr. <i>Holl</i> ,
Mr. <i>Macdonald</i> ,	Mr. <i>Young</i> ,
Mr. <i>Macintosh</i> ,	Mr. <i>Swabey</i> .
Mr. <i>Dalrymple</i> ,	

PRAYERS.

READ the proceedings of Thursday last.

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

A Bill intituled “ An Act to amend and continue for a limited period, the Act intituled ‘ An Act for the regulation of the Public Wharf of Charlottetown.’ ”

A Bill intituled “ An Act to authorize the issue of a Copper Coinage in this Colony, and to prohibit the circulation of base Coppers.”

A Bill intituled “ An Act further to explain and amend an Act passed in the Third year of the Reign of His late Majesty King William the Fourth, 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.’ ”

Read the said Bills a first time.

Pursuant to Order, the Bill intituled “ An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways,” was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill.

After some time, the House was resumed, and Mr. *Holl* reported, that the Committee had gone through the Bill, and they recommend that the said Bill be referred to a Special Committee, to report thereon.

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

Ordered, That Mr. *Brecken*, Mr. *Young* and Mr. *Swabey*, be a Committee for that purpose.

Read a second time, the Bill intituled “ An Act further to explain and amend an Act passed in the Third year of the Reign of His late Majesty King William the Fourth, 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.’ ”

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

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

Adjourned until One o'clock to-morrow.

TUESDAY, 8th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

The Hon. Mr. *Holl*,

Mr. *Macdonald*,

Mr. *Young*,

Mr. *Macintosh*,

Mr. *Swabey*.

Mr. *Dalrymple*,

PRAYERS.

READ the proceedings of yesterday.

Mr. *Brecken*, from the Special Committee appointed to examine into, and report upon the state of the Central Academy, and General Education, reported, that the Committee had made some progress therein, and that they had desired him to report, that it be recommended to the House, that a Committee be appointed to join a Committee of the House of Assembly on the further consideration of the state of the Central Academy, and upon General Education.

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

Ordered, That Mr. *Brecken*, Mr. *Young* and Mr. *Swabey* be a Committee for that purpose.

Ordered, That a copy of the foregoing Order be communicated by Message to the House of Assembly.

Mr. *Young* moved for leave to bring in a Bill to establish Criminal Sessions in Queen's County. Leave being granted, the said Bill was brought in and read a first time.

On motion, Ordered, that the further consideration of the Bill intituled "An Act further to explain and amend an Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, 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,'" do stand as the Order of the Day for Friday next.

Read a second time, the Bill intituled "An Act to authorize the issue of a Copper Coinage in this Colony, and to prohibit the circulation of base Coppers."

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

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

Read a second time, the Bill intituled "An Act to amend and continue for a limited period, the Act intituled 'An Act for the regulation of the Public Wharf of Charlotte-town.'"

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

the Committee had gone through the Bill, and that they had agreed to the same, with several amendments.

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

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

Folio 1, line 16—After the word “ Assembly,” insert “ that the Act made and passed in the Third
“ year of the Reign of His late Majesty King William the Fourth, cap. 32, intituled ‘ An
“ Act for the regulation of the Public Wharf of Charlottetown,’ be, and the same is here-
“ by continued, except as hereinafter provided during the continuance of this Act, and.”

Folio 6, line 11—Strike out the word “ or.”

Same folio, same line—After the word “ Merchandize,” insert the words “ or Passengers.”

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

On motion, Ordered, that the said amendments be engrossed, and that the said Bill, with the amendments, be read a third time to-morrow.

Adjourned until One o'clock to-morrow.

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WEDNESDAY, 9th February, 1842.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. *Mr. Brecken*,
Mr. Worrell,
Mr. Holl,

The Hon. *Mr. Young*,
Mr. Swabey.

PRAYERS.

THERE not being a Quorum,

Adjourned until One o'clock to-morrow.

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THURSDAY, 10th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. *Mr. Brecken*,
Mr. Worrell,
Mr. Macintosh,
Mr. Dalrymple,

The Hon. *Mr. Holl*,
Mr. Young,
Mr. Swabey.

PRAYERS.

READ the proceedings of Tuesday last.

Pursuant to Order, the Bill intituled "An Act to amend and continue for a limited period, the Act intituled 'An Act for the regulation of the Public Wharf of Charlottetown,'" was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

Mr. *Swabey* moved for leave to bring in a Bill to amend an Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, relative to Highways. Leave being granted, the said Bill was brought in and read a first time.

On motion, *Ordered*, that the said Bill be read a second time on Thursday next.

A Message from the House of Assembly, by Mr. Thomson, with a Bill intituled "An Act to regulate the Letting of Stalls in the Charlottetown Market House, and for other purposes therein mentioned," to which they desire the concurrence of the Legislative Council.

Also, with the following written Message:

House of Assembly, Thursday, 10th February, 1842.

Resolved, That a Committee be appointed to join the Committee of the Legislative Council, to examine into and report upon the state of the Central Academy, and upon General Education.

Ordered, That Mr. D. Macdonald, Mr. Le Lacheur, Mr. Maclean, Mr. Longworth and the Hon. Mr. Pope, do compose the said Committee.

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

Read a first time, the Bill intituled "An Act to regulate the Letting of Stalls in the Charlottetown Market House, and for other purposes therein mentioned."

Mr. *Dalrymple* laid before the House, the Report of the Visitor appointed under the Act of the General Assembly, for the encouragement and support of District and other Schools.

See Appendix No. [S.]

On motion, *Ordered*, that the said Report be referred to the Special Committee appointed to examine into, and report upon the state of the Central Academy, and General Education.

Read a second time, the Bill to establish Criminal Sessions in Queen's County.

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

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

Ordered, That the said Bill be engrossed, and that the title be "An Act to establish Criminal Sessions in Queen's County."

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to authorize the Issue of a Copper

Coinage in this Colony, and to prohibit the circulation of base Coppers." After some time, the House was resumed, and Mr. Young reported, that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

Adjourned until One o'clock to-morrow.

FRIDAY, 11th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

Mr. *Worrell*,

Mr. *Macdonald*,

Mr. *Dalrymple*,

The Hon. Mr. *Holl*,

Mr. *Young*,

Mr. *Swabey*.

PRAYERS.

READ the proceedings of yesterday.

On motion, Ordered, that the Order of the Day for the House in Committee on the further consideration of the Bill intituled "An Act further to explain and amend an Act passed in the Third year of the Reign of His late Majesty King William the Fourth, 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,'" be postponed until to-morrow.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to authorize the issue of a Copper Coinage in this Colony, and to prohibit the circulation of base Coppers." After some time, the House was resumed, and Mr. Young reported, that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments.

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

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

Folio 4, line 1—After the word "or," strike out the word "of," and insert the word "current."

Same folio, same line—After the word "Colonies," insert "being of equal or greater weight than is prescribed."

Same folio, line 10—After the word "committed," insert "within twenty-four hours after such base coin shall be offered for circulation, or be passed."

At the end of the Bill, insert "Provided always, that nothing in this Act contained shall have any force or effect until Her Majesty's pleasure thereon shall be known."

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

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

Read a second time, the Bill intituled "An Act to regulate the Letting of Stalls in the Charlottetown Market House, and for other purposes therein mentioned."

On motion, Ordered, that the said Bill be referred to a Special Committee, to report thereon, with power to send for persons, papers and records."

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

Read a third time, the Bill intituled "An Act to establish Criminal Sessions in Queen's County."

Resolved, That the said Bill do pass.

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

Adjourned until One o'clock to-morrow.

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SATURDAY, 12th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

The Hon. Mr. *Holl*,

Mr. *Worrell*,

Mr. *Young*,

Mr. *Macdonald*,

Mr. *Swabey*.

Mr. *Dalrymple*,

PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the Bill intituled "An Act to authorize the Issue of a Copper Coinage in this Colony, and to prohibit the circulation of base Coppers," was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

Pursuant to Order, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act further to explain and amend an Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, 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.'" After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments.

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

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

Folio 1, line 11—Strike out from the word “whereas,” to the word “intent,” in folio 3, line 4, and insert the following:—“Whereas in and by the Thirteenth Section of the said Act, doubts have arisen as to the legal construction of offences done either wilfully or maliciously, and it would seem an incongruity in Law to punish criminally a civil offence: For remedy whereof, Be it enacted by the Lieutenant Governor, Council and Assembly, that if any person or persons shall, after the passing of this Act, wilfully do or commit any damage, injury or spoil to or upon any Building, Wood, Gates, Fences, Underwood, Orchard, Garden, Nursey Ground, Crops, Vegetables, Plants, Land, or other matter or thing growing or being thereon; or to or upon Real property of any nature or kind whatsoever, and shall be thereof convicted within Six Calendar Months next after the committing of such injury, before any Justice of the Peace for the County where such offence shall have been committed, either by the confession of the party offending, or by the Oath of one or more credible witness or witnesses, or of the party aggrieved in the premises, (which oath such Justice is hereby empowered to administer) every person so offending, and being thereof convicted as aforesaid, shall forfeit and pay to the person or persons aggrieved, such a sum of money as shall appear to such Justice to be a reasonable satisfaction or compensation for the damage, or injury, or spoil so committed, not exceeding in any case the sum of Five Pounds, over and above the costs of recovering the same; which said sum of money and costs shall be paid to the person or persons aggrieved. But in case such conviction shall take place on the sole evidence of the party aggrieved, then and in such case such satisfaction and compensation shall be paid into Her Majesty’s Treasury, for and towards the support of Her Majesty’s Government of this Island; and in default of payment of the sum of money in which the offender or offenders shall have been so convicted as aforesaid, immediately or within such time as the Justice shall appoint at the time of conviction, together with all costs, charges and expences attending the conviction, such Justice shall and may issue, and he is hereby authorized to issue a Warrant of Distress and Sale whereby to levy, and sell the Goods and Chattels of the offender or offenders that shall have been so convicted as aforesaid, for the amount of such penalty, costs, charges and expences as aforesaid. And in the event of such offender or offenders not having any Goods or Chattels whereon the same may be levied as aforesaid, then and in such case the said Justice shall and may, and he is hereby empowered to commit the said offender or offenders to the common Jail, for any time not exceeding Three calendar Months, unless such penalty, costs and charges shall be sooner paid and satisfied; any thing in the said Thirteenth section of the said Act to the contrary notwithstanding.

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

DISSENTIENT.

The President,
Mr. Holl.

Ordered, That the said amendments be engrossed, and that the Bill, with the amendments, be read a third time on Monday next.

Mr. *Brecken*, by direction of His Excellency the Lieutenant Governor, laid before the House the Census taken under the Act of 4th Victoria, cap. 5.

On motion, *Ordered,* that the same be printed, and that it do form a part of the Appendix to the Journals of this House.

See Appendix No. [9.]

Mr. *Young* moved for leave to bring in a Bill to amend an Act passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to amend the Law relating to the admission of Barristers, Attorneys and Solicitors, and to regulate the admission of Advocates and Proctors in the Courts of Vice Admiralty, and Court of Probate in this Island." Leave being granted, the said Bill was brought in and read a first time.

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

Adjourned until One o'clock on Monday next.

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MONDAY, 14th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

Mr. *Worrell*,

Mr. *Macdonald*,

Mr. *Macintosh*,

The Hon. Mr. *Dalrymple*,

Mr. *Young*,

Mr. *Swabey*.

PRAYERS.

READ the proceedings of Saturday.

The *President* informed the House, that Indisposition prevents Mr. *Holl* from attending in his place.

Ordered, That Mr. *Holl's* excuse be received.

A Message from the House of Assembly, by Mr. Longworth, with the Bill intituled "An Act to amend and continue for a limited period, the Act intituled 'An Act for the regulation of the Public Wharf of Charlottetown,'" agreed to, as amended by the Legislative Council.

The *President* laid before the House the Treasurer's Accounts, for the year ending 20th January, 1842.

Pursuant to Order, the Bill intituled "An Act further to explain and amend an Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, 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,'" was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

DISSENTIENT.

The President.

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

Mr. Young, from the Special Committee, to whom was referred the Bill intituled "An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways," reported, that the Committee had examined the said Bill, and that they had made several amendments thereto, which they recommend to the adoption of the House.

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

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

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

On motion, the Bill to amend an Act passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to amend the Law relating to the admission of Barristers, Attorneys and Solicitors, and to regulate the admission of Advocates and Proctors in the Courts of Vice Admiralty, and Court of Probate in this Island," was agreed to.

Ordered, That the said Bill be engrossed, and that the title be "An Act to amend the Law relating to the admission of Barristers, Attorneys and Solicitors, and to regulate the admission of Advocates and Proctors in the Courts of Vice Admiralty, and Court of Probate in this Island."

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

Resolved, That a Committee be appointed to join a Committee of the House of Assembly, to prepare a Joint Address to Her Majesty, and a Memorial to both Houses of Parliament, praying that Corn, the growth of this Colony, may be admitted, duty free, into the United Kingdom.

Ordered, That **Mr. Brecken**, **Mr. Macdonald** and **Mr. Swabey** be a Committee on the part of this House to prepare the said Address and Memorials.

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

Mr. Young, from the Special Committee to whom was referred the Bill intituled "An Act to regulate the Letting of Stalls in the Charlottetown Market House, and for other purposes therein mentioned," reported, that the Committee had examined the said Bill, that they had also examined witnesses thereon, and that they had made several amendments thereto, which they recommend to the adoption of the House.

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

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

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

Adjourned until One o'clock to-morrow.

TUESDAY, 15th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

Mr. *Worrell*,

Mr. *Macdonald*,

Mr. *Macintosh*,

The Hon. Mr. *Dalbrymple*,

Mr. *Holl*,

Mr. *Young*,

Mr. *Swabey*.

PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the Bill intituled "An Act to amend an Act made and passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to amend the Law relating to the admission of Barristers, Attorneys and Solicitors, and to regulate the admission of Advocates and Proctors in the Courts of Vice Admiralty and Court of Probate in this Island," was read a third time.

Resolved, That the said Bill do pass.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Report of the Special Committee, to whom was referred the Bill intituled "An Act to regulate the Letting of Stalls in the Charlottetown Market House, and for other purposes therein mentioned." After some time, the House was resumed, and Mr. *Young* reported, that the Committee had gone through the Report of the Special Committee, and that they had agreed to the same, with several amendments.

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

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

Folio 1, line 14—After the word "that," insert "the said Clerk shall number the Stalls in the Market House, and that."

Same folio, line 15—Strike out the word "Six," and insert the word "Nine."

Folio 2, line 3—Strike out the word "Six," and insert the word "Nine."

Same folio, line 9—Strike out the word "Six," and insert the word "Nine."

Same folio, line 14—After the word "bidder," insert "no one person or persons to rent more than two of the said Stalls, at one and the same time."

Folio 2, line 17—Strike out the word "Six," and insert the word "Nine."

Folio 3, line 4—After the word "Day," insert "to be paid to the said Market Clerk prior to the said Stall or Stalls being used."

Folio 6, line 11—After the word "Act," insert "and if any person or persons shall forcibly occupy any Stall, or any part of the table or tables therein, without permission of the Clerk of the Market, and shall not, in being required so to do, immediately remove therefrom, he, she or they shall be liable to a fine of not more than Twenty Shillings, with costs; to be recovered in the manner hereinafter directed in the next following clause."

Folio 9, line 7—Strike out the words “the poor,” and insert “Her Majesty’s Government.”

Same folio, line 15—After the word “return,” insert “to the Administrator of the Government for the time being, in Council.”

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

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

Pursuant to Order, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Report of the Special Committee, to whom was referred the Bill intituled “An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways.” After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

Mr. *Brecken*, by leave, presented a Petition from William Weeks, praying that this House will sanction the grant of such a sum of money as will be sufficient to compensate him for running a Packet Boat between this Island and Bay Verte.

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

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

In the House of Assembly, Tuesday, February 15th, 1842.

Resolved, That a Committee of Five Members be appointed to join the Committee of the Legislative Council, to prepare a Joint Address to Her Majesty, and both Houses of Parliament, praying that Corn, the growth of this Colony, may be imported, duty free, into the United Kingdom.

Ordered, That the Hon. Mr. Pope, the Hon. J. S. Macdonald, Mr. Thomson, Mr. Clark, Mr. Yeo, and Mr. Longworth, do compose the said Committee.

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

Adjourned until One o’clock to-morrow.

WEDNESDAY, 16th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The HON. *Mr. Brecken,*
Mr. Worrell,
Mr. Macdonald,
Mr. Dalrymple,

The HON. *Mr. Holl,*
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the Senior Member present, took the Chair.

Read the proceedings of yesterday.

Pursuant to Order, the Bill intituled “An Act to regulate the Letting of Stalls in the Charlottetown Market House, and for other purposes therein mentioned,” was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

Mr. Macdonald, from the Joint Committee of the Council and Assembly, appointed to prepare a Joint Address to Her Majesty, and a Memorial to both Houses of Parliament, praying that Corn, the growth of this Colony, may be admitted, duty free, into the United Kingdom, presented to the House the Report of the said Committee, which Report he read in his place, and was afterwards read by the Clerk, and is as followeth:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please your Majesty ;

We your Majesty's dutiful and loyal subjects, the Legislative Council and Assembly of the Island Prince Edward, in Colonial Parliament assembled, beg to approach your Throne with the humble request, that you will cause to be taken into consideration the situation of this Island, in relation to its Agriculture.

Dependent, in common with our fellow subjects in this Colony, exclusively on the cultivation of the soil for our maintenance, without a sufficient market for our surplus produce, we can never hope to attain any thing like prosperity; and we feel that whilst we import British manufactures to a large amount, that if the Ports of Great Britain were open to the importation of our Corn, unrestricted by any Duties, that our condition would be so much ameliorated, that the unemployed population of the Mother Country would find their way to this and the neighbouring Colonies, in numbers affording relief to the Agricultural and other districts of Great Britain, of a value quite commensurate with any loss that, by possibility, might be sustained by the competition in the home market of Corn, the produce of these Colonies; and thus a reciprocal advantage might be derived to both Great Britain and this Colony.

Relying on your Majesty's known solicitude for all parts of your Empire, we beg to lay this our prayer at the foot of your august Throne, on the granting of which our prosperity so much depends—and we shall, as in duty bound, ever pray.

To the Right Honorable the Lords Spiritual and Temporal of Great Britain and Ireland, in Parliament assembled.

The Memorial of the Legislative Council and Assembly of Her Majesty's Island Prince Edward, in Colonial Parliament convened, sheweth—

That your Memorialists and their fellow subjects in this Island, are entirely dependent for their prosperity on a Market for the sale of Agricultural produce.

Having no Coal or Minerals, or other raw material, their pursuits are necessarily confined to the cultivation of the soil, and that cultivation is much circumscribed by the length of the winter season in this climate, which prevents their keeping such a stock of horned cattle and sheep as their farms require, it is thus more particularly on the growth of corn that their dependence rests.

Your Memorialists therefore pray that the duties on the importation of Colonial corn, namely, Wheat, Barley, Oats, Rye, Peas and Beans, Wheat-meal or Flour, Oatmeal, Maize, Indian Corn, Buck-wheat, Beer or Bigg, and on all Salted Provisions, may cease.

Whilst exertions are making in England to get rid of her crowded population by means of emigration, it appears to your Memorialists that the main engine to be employed to render such a measure successful must be the finding profitable employment for those who may be thereby induced to leave their native country, and it is the deliberate opinion of your Memorialists, that to grant their prayer would have more permanent results in inducing emigration, than can be afforded by any the most profuse monied grant in aid of such a purpose.

Your Memorialists disclaim any desire to derive advantage from the difficulties of their agricultural brethren in Great Britain, conceiving as they do that they are all members of the same family, nor have they any thing to do with the question of the policy of opening the Ports of Great Britain, to foreign corn; their desire is to obtain an exemption from duty in favour of Colonial Corn, on the ground of the extensive importation of British Manufactures into these Colonies, which importation it is obvious would be greatly increased, could the inhabitants of this Island be relieved from the necessity of remitting specie, which they are now under, because they do not find a market for their Agricultural Produce in Great Britain, and thus a process would begin by which additional employment would be found for the British Manufacturer; nor should it be forgotten that whilst the importation to England of Continental Corn, is commonly paid for in specie, that for that which would be introduced by your Memorialists, her manufactures would be required in exchange. It should be considered likewise that Great Britain derives great benefit from the asylum that is here offered to that surplus population, which would otherwise become an increasing charge on the expences of British cultivation; a benefit which your Memorialists consider of such value, that they do not entertain the smallest doubt that if their prayer were granted, and hereafter if a balance were struck between the amount of the monied value of the relief thus afforded to the British grower of corn, by increasing Colonization, and the amount of loss he could sustain by the admission of Colonial grain into free competition with his own, that such balance would be extensively in his favour.

Your Memorialists further consider that the repeal in their favor of the duties on the importation into Great Britain of Colonial Corn, and other produce, appears founded on a just and fair system of reciprocity, and that its results would be highly advantageous to Great Britain, as well as to her Colonies.

Begging your Lordships favorable consideration of the premises, your Memorialists will, as in duty bound, ever pray.

—

To the Right Honorable and Honorable the Knights, Citizens and Burgesses of Great Britain and Ireland, in Parliament assembled.

The Memorial of the Legislative Council and Assembly of Her Majesty's Island Prince Edward, in Colonial Parliament convened, sheweth—

That your Memorialists and their fellow subjects in this Island, are entirely dependent for their prosperity on a Market for the sale of Agricultural produce.

Having no Coal or Minerals, or other raw material, their pursuits are necessarily confined to the cultivation of the soil, and that cultivation is much circumscribed by the length of the winter season in this climate, which prevents their keeping such a stock of horned cattle and sheep as their farms require, it is thus more particularly on the growth of corn that their dependence rests.

Your Memorialists therefore pray that the duties on the importation of Colonial corn, namely, Wheat, Barley, Oats, Rye, Peas and Beans, Wheat-meal or Flour, Oatmeal, Maize, Indian Corn, Buck-wheat, Beer or Bigg, and on all Salted Provisions, may cease.

Whilst exertions are making in England to get rid of her crowded population by means of emigration, it appears to your Memorialists that the main engine to be employed to render such a measure success-

ful must be the finding profitable employment for those who may be thereby induced to leave their native country, and it is the deliberate opinion of your Memorialists, that to grant their prayer would have more permanent results in inducing emigration, than can be afforded by any the most profuse monied grant in aid of such a purpose.

Your Memorialists disclaim any desire to derive advantage from the difficulties of their agricultural brethren in Great Britain, conceiving as they do that they are all members of the same family, nor have they any thing to do with the question of the policy of opening the Ports of Great Britain, to foreign Corn; their desire is to obtain an exemption from duty in favour of Colonial Corn, on the ground of the extensive importation of British Manufactures into these Colonies, which importation it is obvious would be greatly increased, could the inhabitants of this Island be relieved from the necessity of remitting specie, which they are now under, because they do not find a market for their Agricultural Produce in Great Britain, and thus a process would begin by which additional employment would be found for the British Manufacturer; nor should it be forgotten that whilst the importation to England of Continental Corn, is commonly paid for in specie, that for that which would be introduced by your Memorialists, her manufactures would be required in exchange. It should be considered likewise that Great Britain derives great benefit from the asylum that is here offered to that surplus population, which would otherwise become an increasing charge on the expences of British cultivation; a benefit which your Memorialists consider of such value, that they do not entertain the smallest doubt that if their prayer were granted, and hereafter if a balance were struck between the amount of the monied value of the relief thus afforded to the British grower of corn, by increasing Colonization, and the amount of loss he could sustain by the admission of Colonial Grain into free competition with his own, that such balance would be extremely in his favour.

Your Memorialists further consider that the repeal in their favor of the duties on the importation into Great Britain of Colonial Corn, and other produce, appears founded on a just and fair system of reciprocity, and that its results would be highly advantageous to Great Britain, as well as to her Colonies.

Begging your favorable consideration of the premises, your Memorialists will, as in duty bound, ever pray.

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

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

Ordered, That the said Address and Memorial be engrossed.

Adjourned until One o'clock to-morrow.

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THURSDAY, 17th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Hon. *Mr. Brecken*,
Mr. Worrell,
Mr. Dalrymple,

The Hon. *Mr. Holl*,
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the Senior Member present, took the Chair, and there not being a Quorum, declared

The House adjourned until One o'clock to-morrow.

FRIDAY, 18th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The HON. *Mr. Brecken,*
Mr. Worrell,
Mr. Macintosh,
Mr. Dalrymple,

The HON. *Mr. Holl,*
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the Senior Member present, took the Chair.

Read the proceedings of Wednesday last.

Pursuant to Order, the Bill to amend an Act passed in the Third year of the Reign of His late Majesty King William the Fourth, relative to Highways, was read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and *Mr. Holl* reported, that the Committee had gone through the Bill, and they recommend that the same be referred to a Special Committee, to report thereon.

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

Ordered, That *Mr. Holl*, *Mr. Young*, and *Mr. Swabey*, be a Committee for that purpose.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Report of the Special Committee, to whom was referred the Bill intituled "An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways." After some time, the House was resumed, and *Mr. Swabey* reported, that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

A Message from the House of Assembly, by *Mr. Thomson*.

Mr. President,

The House of Assembly have passed the Bill intituled "An Act to amend an Act passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, intituled 'An Act to amend the Law relating to the admission of Barristers, Attorneys and Solicitors, and to regulate the admission of Advocates and Proctors in the Courts of Vice Admiralty, and Court of Probate in this Island,'" with a certain amendment, to which they desire the concurrence of the Legislative Council.

And also, with the following written Message:

Mr. President,

The House of Assembly desire a Conference with the Legislative Council, on the subject of the amendments made to the Bill intituled "An Act to authorize the Issue of a Copper Coinage in this Colony, and to prohibit the circulation of base Coppers," and have appointed *Mr. Thomson*, *Mr. Longworth*, *Mr. Hudson* and *Mr. Palmer* a Committee to manage the said Conference.

On motion, Ordered, that a Conference be agreed to, as is desired by the House of Assembly.

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

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

And the names of the managers being called over, they went to the Conference, and being returned, they reported that they had met the managers on behalf of the House of Assembly, who had acquainted them that the House of Assembly had agreed to the second, third and fourth of the amendments made by this House to the Bill, but that they had disagreed to the first amendment.

On motion, Ordered, that this House do not insist on the said amendment.

Ordered, That a further Conference be desired with the House of Assembly, and that the same Committee who managed the last Conference, be a Committee to manage this further Conference, to meet in the Committee Room instanter.

Ordered, That the managers on behalf of this House, be instructed to state to the managers on behalf of the House of Assembly, that this House do not insist on the said amendment.

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

Mr. President,

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

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

The Acting President, by direction of His Excellency the Lieutenant Governor, laid before the House a copy of the Warrant Book, together with the Custom House Returns, and the Accounts of the Collector of Impost for the District of Charlottetown, for the past year.

On motion, Ordered, that the said Returns be printed, and that they do form part of the Appendix to the Journals of this House.

See Appendix No. [10.]

On motion, the amendment made by the House of Assembly to the Bill intituled "An Act to amend an Act passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, intituled 'An Act to amend the Law relating to the admission of Barristers, Attorneys and Solicitors, and to regulate the admission of Advocates and Proctors in the Courts of Vice Admiralty and Court of Probate in this Island,'" was read a first time, and is as follows:

Folio 1, line 21—After the word "persons," insert "being natives of this Colony, or who shall have resided therein for a period of two years."

Adjourned until One o'clock to-morrow.

SATURDAY, 19th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The HON. *Mr. Brecken,*

Mr. Worrell,

Mr. Macdonald,

Mr. Dalrymple,

The HON. *Mr. Holl,*

Mr. Young,

Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the Senior Member present, took the Chair.

Read the proceedings of yesterday.

Read a second time, the amendments made by the House of Assembly to the Bill intituled "An Act to amend an Act passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, intituled 'An Act to amend the Law relating to the admission of Barristers, Attorneys and Solicitors, and to regulate the admission of Advocates and Proctors in the Courts of Vice Admiralty, and Court of Probate in this Island.'" "

On motion, the said amendments were read a third time, and agreed to.

Ordered, That a Message be sent down to the House of Assembly, acquainting them that this House have agreed to their amendment.

The *Acting President*, by leave, presented a Petition from William Morrison, of Georgetown, Fish Inspector, praying for an alteration in the Act intituled "An Act for the appointment of Fish Inspectors, and to extend the provisions of the Act now in force regulating the size and quality of Fish Barrels and Tierces, and the weight of Fish made up therein."

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

Adjourned until Two o'clock on Monday next.

MONDAY, 21st February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The HON. *Mr. Brecken,*

Mr. Worrell,

Mr. Dalrymple,

The HON. *Mr. Holl,*

Mr. Young,

Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the Senior Member present, took the Chair, and there not being a Quorum, declared

The House adjourned until One o'clock to-morrow.

TUESDAY, 22d February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Hon. *Mr. Brecken*,
Mr. Worrell,
Mr. Macintos',
Mr. Dalrymple,

The Hon. *Mr. Macnutt*,
Mr. Holl,
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the Senior Member present, took the Chair.

Read the proceedings of Saturday last.

The *Acting President* acquainted the House, that Indisposition prevents *Mr. Macdonald* from attending in his place.

Ordered, That *Mr. Macdonald's* excuse be received.

On motion, *Ordered*, that this House do, on Wednesday next, resolve itself into a Committee of the whole, for the purpose of inquiring into the propriety of addressing Her Majesty respecting the constituting the Port of Charlottetown a Free Warehousing Port.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Report of the Special Committee, to whom was referred the Bill intituled "An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways." After some time, the House was resumed, and *Mr. Swabey* reported, that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

Mr. Swabey, from the Special Committee to whom was referred the Bill to amend an Act passed in the Third Year of the Reign of King William the Fourth, relative to Highways, reported, that the Committee had examined the said Bill, and that they had made several amendments thereto, which they recommend to the adoption of the House.

On motion, *Ordered*, that the said Report be received.

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

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

Ordered, That the Bill be engrossed, and that the title be "An Act to amend an Act, intituled 'An Act to regulate the performance of Statute Labour on the Highways, and for other purposes therein mentioned.'"

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

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

H. V. HUNTLEY, Lieut. Governor.

The Lieutenant Governor lays before the Legislative Council, a copy of the Estimates for the services of the current year.

Government House, February 22d, 1842.

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

Adjourned until One o'clock to-morrow.

WEDNESDAY, 23d February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Hon. *Mr. Brecken,*
Mr. Worrell,
Mr. Macintosh,
Mr. Dalrymple,

The Hon. *Mr. Macnutt,*
Mr. Holl,
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the senior Member present, took the Chair.

Adjourned until One o'clock to-morrow.

THURSDAY, 24th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Hon. *Mr. Brecken,*
Mr. Worrell,
Mr. Dalrymple,
Mr. Macnutt,

The Hon. *Mr. Holl,*
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the senior Member present, took the Chair.

Read the proceedings of Tuesday last.

The Order of the Day for the House in Committee, for the purpose of inquiring into the propriety of addressing Her Majesty, relative to the constituting the Port of Charlottetown a Free Warehousing Port, being read; Ordered, that the same be postponed until Monday next, and that the Members of the House be summoned for that day, at Twelve o'clock.

Read a third time, the Bill intituled "An Act to amend an Act, intituled 'An Act to regulate the performance of Statute Labour on the Highways, and for other purposes therein mentioned.'"

Resolved, That the said Bill do pass.

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

Adjourned until Twelve o'clock to-morrow.

FRIDAY, 25th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Hon. *Mr. Brecken,*
Mr. Worrell,
Mr. Macintosh,
Mr. Dalrymple,

The Hon. *Mr. Macnutt,*
Mr. Holl,
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the senior Member present, took the Chair.

Read the proceedings of yesterday.

A Message from the House of Assembly, by *Mr. Thomson*, with the Bill intituled "An Act to regulate the Letting of Stalls in the Charlottetown Market House, and for other purposes therein mentioned," agreed to, as amended by the Legislative Council.

On motion, Resolved, that a Committee be appointed to join a Committee of the House of Assembly, to wait upon His Excellency the Lieutenant Governor, to request that His Excellency will be pleased to forward the Joint Address of both Houses to Her Majesty, praying that Corn, the growth of this Colony, may be admitted, duty free, into the United Kingdom.

Ordered, That *Mr. Macnutt*, *Mr. Holl* and *Mr. Swabey* be a Committee on the part of this House to wait upon His Excellency.

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

Resolved, That a Committee be appointed to join a Committee of the House of Assembly, for the purpose of forwarding to His Grace the Duke of Bedford, the Joint Memorial of both Houses to the House of Lords, praying that Corn, the growth of this Colony, may be admitted, duty free, into the United Kingdom, and to request that His Grace will be pleased to present the same.

And also, to forward to the Right Honorable Lord John Russell, the Joint Memorial of both Houses to the House of Commons, on the same subject, and to request His Lordship will be pleased to present the same.

Ordered, That *Mr. Macnutt*, *Mr. Holl*, and *Mr. Swabey*, be a Committee for that purpose.

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

Adjourned until Twelve o'clock to-morrow.

SATURDAY, 26th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The HON. *Mr. Brecken,*
Mr. Worrell,
Mr. Dalrymple,
Mr. Macnutt,

The HON. *Mr. Holl,*
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the Senior Member present, took the Chair.

Read the proceedings of yesterday.

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

In the House of Assembly, Friday, February 25th, 1842.

Resolved, That a Committee be appointed to join the Committee of the Legislative Council, to wait upon His Excellency the Lieutenant Governor, to request that His Excellency will be pleased to forward the Joint Address of both Houses to Her Majesty, praying that Corn, the growth of this Colony, may be admitted, duty free, into the United Kingdom.

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

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

And also,

In the House of Assembly, Friday, 25th February, 1842.

Resolved, That a Committee be appointed to join the Committee of the Legislative Council, for the purpose of forwarding to His Grace the Duke of Bedford, the Joint Memorial of both Houses to the House of Lords, praying that Corn, the growth of this Colony, may be admitted, duty free, into the United Kingdom, and to request that His Grace will be pleased to present the same.

And also, to forward to the Right Honorable Lord John Russell, the Joint Memorial of both Houses to the House of Commons, on the same subject, and to request that His Lordship will be pleased to present the same.

Ordered, That the same Committee who prepared the Memorials, be a Committee on the part of this House to forward the same.

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

Adjourned until Twelve o'clock to-morrow.

MONDAY, 28th February, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The HON. *Mr. Brecken,*
Mr. Worrell,
Mr. Macdonald,
Mr. Macintosh,
Mr. Dalrymple,

The HON. *Mr. Macnutt,*
Mr. Holl,
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the Senior Member present, took the Chair.

Read the proceedings of Saturday last.

Pursuant to Order, the House was called.

PRESENT:

The HON. *Mr. Brecken,*
Mr. Worrell,
Mr. Macdonald,
Mr. Macintosh,
Mr. Dalrymple,
Mr. Macnutt,
Mr. Holl,
Mr. Young,
Mr. Swabey.

ABSENT.

The Hon. *Mr. Attorney General*, excused from Indisposition.

The Hon. *Mr. Solicitor General*, absent from the Island, by leave from the late Lieutenant Governor.

Pursuant to Order, the House was adjourned during pleasure, and put into a Committee for the purpose of inquiring into the propriety of addressing Her Majesty relative to the constituting the Port of Charlottetown a Free Warehousing Port. After some time, the House was resumed, and *Mr. Holl* reported, that the Committee having had the same under consideration, recommend to the House that an humble Address to Her Majesty be prepared, praying that Her Majesty will be pleased to confer on Charlottetown the privileges of a Free Warehousing Port, and that the House of Assembly be requested to join therein.

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

Ordered, That *Mr. Macdonald*, *Mr. Holl*, *Mr. Young* and *Mr. Swabey* be appointed to prepare an Address, jointly with a Committee of the House of Assembly.

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

Mr. Swabey, from the Joint Committee of the Council and Assembly, appointed to wait upon His Excellency the Lieutenant Governor, to request that His Excellency will be pleased to forward the Joint Address of both Houses to Her Majesty, praying that Corn, the growth of this Colony, may be admitted, duty free, into the United Kingdom, reported, that they had waited on His Excellency, who was pleased to say, that he would have much pleasure in forwarding the said Address.

Adjourned until One o'clock to-morrow.

TUESDAY, 1st March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The HON. *Mr. Brecken,*
Mr. Macdonald,
Mr. Dalrymple,
Mr. Macnutt,

The HON. *Mr. Holl,*
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the President, from Indisposition, *Mr. Brecken*, the senior Member present, took the Chair.

Read the proceedings of yesterday.

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

Mr. President,

The House of Assembly desire a Conference with the Legislative Council, on the subject matter of the amendment made to the Bill intituled "An Act further to explain and amend an Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, 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 have appointed the Hon. Mr. Pope, Hon. J. S. Macdonald, Mr. Clark, Mr. Thomson, Mr. Longworth, and Mr. Palmer, a Committee to manage the said Conference.

On motion, Ordered, that a Conference be agreed to, as is desired by the House of Assembly.

Ordered, That *Mr. Dalrymple*, *Mr. Macnutt*, and *Mr. Young* be a Committee to manage the said Conference, to meet in the Committee Room to-morrow, at One o'clock.

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

Adjourned until One o'clock to-morrow.

WEDNESDAY, 2d March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The HON. *Mr. Brecken,*
Mr. Worrell,
Mr. Macintosh,
Mr. Dalrymple,

The HON. *Mr. Macnutt,*
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the President, from Indisposition, *Mr. Brecken*, the Senior Member present, took the Chair.

Read the proceedings of yesterday.

The *Acting President* informed the House, that Indisposition prevents *Mr. Holl* from attending in his place.

Ordered, That *Mr. Holl's* excuse be received.

Mr. Macnutt informed the House, that urgent business prevents *Mr. Macdonald* from attending in his place.

Ordered, That *Mr. Macdonald's* excuse be received.

The time appointed for holding the Conference with the House of Assembly, on the amendment made to the Bill intituled "An Act further to explain and amend an Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, 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,'" having arrived, the managers went to the Conference, and being returned, reported, that they had met the managers on behalf of the House of Assembly, who had delivered to them the said Bill, with the amendment, and also a paper containing as follows:—

The House of Assembly disagree to the amendment made by the Legislative Council to the Bill intituled "An Act further to explain and amend an Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, 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,'" for the following reasons:—

Because they consider it highly expedient that provision should be made for the redress of petty Trespasses, by a more expeditious and less expensive process than is now afforded in the Supreme Courts of Law, from the limited construction which those Courts have hitherto put upon the 13th Section of the Trespass Act, of the 3d Will. 4, cap. 27. And in order to remove all doubt in future as to the nature of the injuries which that section purports to remedy, as well as to render it as remedial as possible in its operations, they hold it necessary that the objects of the amendments should expressly appear on the face of the Bill; and its preamble, as passed by the House of Assembly, they still consider as best adapted for this purpose; the preamble offered by the Legislative Council not pointing out the particular construction of the section on which the doubts subsist, unless the bare inference which arises from the statement of its seeming "an incongruity at Law to punish criminally a Civil offence," which inference, unchecked by any other part of the Council's amendments, appears equally as much, if not more likely, to create a supposition that the offences mentioned in the said 13th Section are considered at present all civil offences, or injuries in their nature, and the punishment awarded for them in all respects calculated for offences criminal in their nature.

Because, by the amendment offered by the Council, no remedy is given for an injury to personal property.

Because, by such amendment also the party grieved by a civil injury would be deprived of the power of arresting the offender in the very act of trespass, and of taking him at once before a Justice, as he is now, and would still be, by the amendment of the House of Assembly, permitted to do by the salutary provision of the 15th Section of the principal Act.

The House of Assembly further consider that two sections of the Law, so similar both in their language and in the mode of proceeding under them, but requiring such a cautious line of distinction in adjudicating on the different offences within their respective meaning, would be too likely to lead to confusion in the mind of the Magistrate; and a conviction under the one for offences, rendered by the Council's amendments exclusively within the meaning of the other, would be too frequently the result, particularly as the Magistrate, before he issued a Summons, would have no other guide than the *ex parte* statement of the complainant to enable him to decide whether he ought to proceed as against a civil or a criminal offender.

On motion, Resolved, that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to make application to Her Majesty's Secretary of State for the Colonies, for the Statutes of the Imperial Parliament for the year 1817, and following years until the first year of Her present Majesty's Reign; and that the House of Assembly be requested to join in the said Address.

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

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

Adjourned until Two o'clock to-morrow.

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THURSDAY, 3d March, 1842.

PRESENT:

The Hon. Mr. Brecken,
Mr. Worrell,
Mr. Dalrymple,

The Hon. Mr. Macnutt,
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, Mr. Brecken, the Senior Member present, took the Chair, and there not being a Quorum, declared the House

Adjourned until One o'clock to-morrow.

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FRIDAY, 4th March, 1842.

PRESENT:

The Hon. Mr. Brecken,
Mr. Worrell,
Mr. Dalrymple,

The Hon. Mr. Macnutt,
Mr. Holl,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, Mr. Brecken, the senior Member present, took the Chair, and there not being a Quorum, declared the House

Adjourned until Twelve o'clock to-morrow.

SATURDAY, 5th March, 1842.

PRESENT:

The Hon. *Mr. Brecken*,
Mr. Worrell,
Mr. Dalrymple,

The Hon. *Mr. Macnutt*,
Mr. Young,
Mr. Swabey.

PRAYERS.

IN the absence of the *President*, from Indisposition, *Mr. Brecken*, the Senior Member present, took the Chair, and there not being a Quorum, declared the House Adjourned until One o'clock on Monday next.

MONDAY, 7th March, 1842.

PRESENT:

The Hon. *Mr. Worrell*,
Mr. Dalrymple,
Mr. Macnutt,

The Hon. *Mr. Holl*,
Mr. Swabey.

PRAYERS.

THERE not being a Quorum,
Adjourned until One o'clock to-morrow.

TUESDAY, 8th March, 1842.

PRESENT:

The Hon. *Mr. Dalrymple*,

The Honorable *Mr. Attorney General*, President;

PRAYERS.

THERE not being a Quorum,
Adjourned until One o'clock to-morrow.

WEDNESDAY, 9th March, 1842.

PRESENT:

The Hon. *Mr. Dalrymple*,

The Honorable *Mr. Attorney General*, President;

The Hon. *Mr. Swabey*.

PRAYERS.

THERE not being a Quorum,
Adjourned until One o'clock to-morrow.

THURSDAY, 10th March, 1842.

PRESENT:

The Honorable Mr. *Attorney General*, President;
 The Hon. *Mr. Brecken*, The Hon. *Mr. Holl*,

PRAYERS.

THERE not being a Quorum,

Adjourned until One o'clock to-morrow.

FRIDAY, 11th March, 1842.

PRESENT:

The Honorable Mr. *Attorney General*, President;
 The Hon. *Mr. Macintosh*, The Hon. *Mr. Swabey*.
Mr. Holl,

PRAYERS.

THERE not being a Quorum,

Adjourned until One o'clock to-morrow.

SATURDAY, 12th March, 1842.

PRESENT:

The Honorable Mr. *Attorney General*, President;
 The Hon. *Mr. Dalrymple*, The Hon. *Mr. Holl*,
Mr. Young, *Mr. Swabey*.

PRAYERS.

THERE not being a Quorum,

Adjourned until One o'clock on Monday next.

MONDAY, 14th March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;
 The Hon. *Mr. Brecken*, The Hon. *Mr. Dalrymple*,
Mr. Worrell, *Mr. Holl*,
Mr. Macdonald, *Mr. Young*,
Mr. Macintosh, *Mr Swabey*.

PRAYERS.

READ the proceedings of Wednesday the 2d instant.

Mr. *Swabey*, from the Joint Committee of the Council and Assembly, appointed to examine into, and report upon the state of the Central Academy, and upon general Education, reported, that the Joint Committee had agreed upon an Address to Her Majesty, relative to the disposal of the Monies now in the Treasury, arising from the sale of the School Lands—which Address he read in his place, and was afterwards read by the Clerk, and is as followeth:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please your Majesty ;

We your Majesty's loyal and dutiful subjects the Legislative Council and Assembly of your Majesty's Island Prince Edward, in Colonial Parliament convened, having had under our consideration a Despatch of Lord Glenelg, your Majesty's late Secretary of State for the Colonies, dated Downing Street, 3d December, 1838, stating that your Majesty will be prepared to take into your favourable consideration, any Joint Address which may be presented to Your Majesty, by both Houses of the Legislature, specifying the manner and proportions in which the Moneys arising from the Sale of the School Lands, under the Provincial Act of 5th Will. 4, cap. 13, can be most advantageously appropriated, for the promotion of general Education throughout the Island, would most humbly submit, for your Majesty's approval, that the said Monies, amounting to £725 Halifax currency, may be invested with the Treasurer of this Island, in the Public Funds of this Colony, and that the annual legal Interest arising therefrom may be apportioned amongst the District Schools, which are now established, or may hereafter be established, under the Laws of this Island; and that the said Moneys be applied for the sole purpose of affording gratuitous instruction to the Children of the Destitute poor.

We beg further to state to Your Majesty, that there are at present 121 District Schools, besides two Educational establishments, in this Island, receiving an annual bounty from the public funds of the Colony, in which Schools, provision is made by Law for the gratuitous instruction of upwards of 484 children; and that the grants of public money from the Treasury of this Island, in aid of such Schools and establishments, for the past year, amount to a sum equal to full one tenth part of the intire Revenue of this Island, which we trust your Majesty will receive as a pledge of our earnest desire to extend the blessings of Education amongst all classes of the community, and as the best guarantee that we can offer for the proper application of the said School monies.

May it therefore please your Majesty to direct that the said Monies may be invested in the Public Treasury of this Colony, and that the annual legal Interest arising therefrom may be applied to the gratuitous instruction in the District Schools of this Island, of the children of the destitute poor, under the direction of the Legislature of this Colony.

And as in duty bound we will ever pray.

On motion, the said Address was agreed to, and ordered to be engrossed.

Resolved, That a Committee be appointed to join a Committee of the House of Assembly, to prepare an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to forward the Joint Address of both Houses to Her Majesty, relative to the disposal of the Moneys arising from the Sale of the School Lands.

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

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

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

A Bill intituled "An Act in further amendment of the several Acts therein mentioned, relating to the recovery of Small Debts, and for extending the jurisdiction of Justices of the Peace, and Commissioners of Small Debts, to the recovery of sums under Ten Pounds, in certain cases.

A Bill intituled "An Act to amend an Act for the appointment of Fish Inspectors, and to continue and extend the provisions of the Act now in force regulating the size and quality of Fish Barrels and Tierces, and the weight of Fish made up therein."

A Bill intituled "An Act to repeal and amend a certain portion of the Nineteenth section of an Act relating to Schools, and for the encouragement of Education."

Read the said Bills a first time.

A Message from the House of Assembly, by Mr. Clark, with a Bill intituled "An Act for the regulation of the Fishery Reserves in this Island," to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

On motion, Ordered, that the second reading of the Bill intituled "An Act to repeal and amend a certain portion of the Nineteenth section of an Act relating to Schools, and for the encouragement of Education," do stand as the Order of the Day for to-morrow.

On motion, Ordered, that the second reading of the Bill intituled "An Act in further amendment of the several Acts therein mentioned, relating to the recovery of Small Debts, and for extending the jurisdiction of Justices of the Peace, and Commissioners of Small Debts, to the recovery of sums under Ten Pounds, in certain cases," do stand as the Order of the Day for Wednesday next.

On motion, Ordered, that the second reading of the Bill intituled "An Act for the regulation of the Fishery Reserves in this Island," do stand as the Order of the Day for Friday next.

Ordered, That Mr. Macdonald have leave to absent himself for two days.

Adjourned until Twelve o'clock to-morrow.

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TUESDAY, 15th March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. Attorney General, President;

The Hon. Mr. Brecken,

The Hon. Mr. Holl,

Mr. Worrell,

Mr. Young,

Mr. Macintosh,

Mr. Swabey.

Mr. Dalrymple,

PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the Bill intituled "An Act to repeal and amend a certain portion of the Nineteenth section of an Act relating to Schools, and for the Encouragement of Education," was read a second time.

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

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

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

Folio 2, line 11—Strike out the words "such portion of Inhabitants," and insert "the said ten persons."

Folio 4, line 1—Strike out the whole of the remainder of the clause, and insert the following:—

"That the words "ten in number," in the said Nineteenth section, shall be, and the same are hereby repealed; and that it shall and may be lawful for any Five of such inhabitants, qualified as in the said section is expressed, to assess the inhabitants of the District, to the extent, and in the way and manner prescribed in and by the said Nineteenth section."

Folio 6, line 2—After the word "the," insert "balance of the said sum of money now in the hands of the said Secretary, together with the proceeds arising from the Sale of said Books, to be sold in the manner hereinafter directed."

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

On motion, Ordered, that the said amendments be engrossed, and that the Bill, with the amendments, be read a third time to-morrow.

Read a second time, the Bill intituled "An Act to amend an Act for the appointment of Fish Inspectors, and to continue and extend the provisions of the Act now in force regulating the size and quality of Fish Barrels and Tierces, and the weight of Fish made up therein."

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

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

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

House of Assembly, Monday, 14th March, 1842.

Resolved, That this House doth concur with the Legislative Council, in the presentation of an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to make application to Her Majesty's Secretary of State for the Colonies, for the Statutes of the Imperial Parliament, for the year 1817, and following years, until the first year of Her present Majesty's Reign.

Ordered, That Mr. Palmer, Mr. Longworth, Mr. Clark, Mr. Montgomery, the Hon. J. S. Macdonald and Mr. Dalziel, be a Committee on the part of this House to prepare the said Address.

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

And also,

House of Assembly, March 14th, 1842.

Resolved, That a Committee be appointed to join the 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 Address of both Houses to Her Majesty, relative to the disposal of the Moneys arising from the Sale of the School Lands.

Ordered, That the same Committee who prepared the Address to Her Majesty, 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 Legislative Council.

Adjourned until Twelve o'clock to-morrow.

WEDNESDAY, 16th March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

The Hon. Mr. *Holl*,

Mr. *Worrell*,

Mr. *Young*,

Mr. *Dalrymple*,

Mr. *Swabey*.

Mr. *Macnutt*,

PRAYERS.

READ the proceedings of yesterday.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to amend an Act for the appointment of Fish Inspectors, and to continue and extend the provisions of the Act now in force regulating the size and quality of Fish Barrels and Tierces, and the Weight of Fish made up therein." After some time, the House was resumed, and Mr. *Worrell* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments.

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

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

Folio 2, line 8—After the word "Assembly," insert as follows:—"That the proviso to the said Sixth Section, be and the same is hereby repealed."

Second clause—"And be it further enacted, by the authority aforesaid."

Folio 3, line 2—After the word "aforesaid," strike out what follows, to the word "importers," and insert "of his or their intention."

Folio 5, line 4—After the word “appear,” insert “to such Inspector”—and after the word “been,” in the same line, insert “previously.”

Same folio, line 11—After the word “same,” insert “opened again.”

Same folio, line 17—After the word “lawful,” insert “thereon.”

Folio 6, line 1—After the word “to,” insert “such Fish as are designated by.”

Same folio, line 18—Strike out the word “if,” and insert the word “be;” and after the word “or,” insert “if.”

Same folio, line 19—After the word “thereof,” insert “be sold.”

Folio 7, line 4—After the word “purchaser,” insert “for the price thereof, and the charges thereon to be recovered.”

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

On motion, Ordered, that the said amendments be engrossed, and that the Bill, with the amendments, be read a third time to-morrow.

The Order of the Day for the second reading of the Bill intituled “An Act in further amendment of the several Acts therein mentioned, relating to the recovery of Small Debts, and for extending the jurisdiction of Justices of the Peace, and Commissioners of Small Debts, to the recovery of sums under Ten Pounds, in certain cases,” being read—Ordered, that the same be discharged, and that the second reading of the said Bill do stand as the Order of the day for Tuesday next, and that the Members of the House be summoned for that day.

Pursuant to Order, the Bill intituled “An Act to repeal and amend a certain portion of the Nineteenth section of an Act relating to Schools, and for the Encouragement of Education,” was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

Adjourned until Two o'clock to-morrow.

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THURSDAY, 17th March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President; :

The Hon. Mr. *Worrell,*

Mr. *Macdonald,*

Mr. *Dalrymple,*

The Hon. Mr. *Macnutt,*

Mr. *Young,*

Mr. *Swabey.*

PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the Bill intituled “ An Act to amend an Act for the appointment of Fish Inspectors, and to continue and extend the provisions of the Act now in force regulating the size and quality of Fish Barrels and Tierces, and the weight of Fish made up therein,” was read a third time, and passed, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

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

A Bill intituled “ An Act to consolidate and amend the two several Acts now in force relative to Accidents by Fire, and the Improvement of Property in Georgetown.”

A Bill intituled “ An Act to establish Criminal Sessions in the several Counties in this Island.”

Read the said Bills a first time.

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

A Bill intituled “ An Act to further amend the several Acts therein mentioned, relating to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases.”

A Bill intituled “ An Act to continue an Act, intituled ‘ An Act to regulate the Floating of Logs, Scantling, Deals, and other kinds of Wood, down the Rivers and Lesser Streams in this Island.’ ”

A Bill intituled “ An Act to alter and amend the Act for the establishment of an Academy in Charlottetown.”

Read the said Bills a first time.

Adjourned until Twelve o'clock to-morrow.

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FRIDAY, 18th March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. *Mr. Brecken*,

The Hon. *Mr. Macnutt*,

Mr. Worrell,

Mr. Young,

Mr. Macdonald,

Mr. Swabey.

Mr. Dalrymple,

PRAYERS.

READ the proceedings of yesterday.

The *President* informed the House, that Indisposition prevents *Mr. Holl* from attending in his place.

Ordered, That *Mr. Holl's* excuse be received.

The *President* informed the House, that Indisposition prevents Mr. *Macintosh* from attending in his place.

Ordered, That Mr. *Macintosh's* excuse be received.

The Order of the Day for the second reading of the Bill intituled "An Act for the regulation of the Fishery Reserves in this Island," being read—*Ordered*, that the same be discharged, and that the second reading of the said Bill do stand as the Order of the Day for to-morrow, and that the Members of the House be summoned for to-morrow.

Read a second time, the Bill intituled "An Act to continue an Act intituled 'An Act to regulate the Floating of Logs, Scantling, Deals, and other kinds of Wood down the Rivers and Lesser Streams in this Island.'"

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

Resolved, That the said Bill do pass.

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

Read a second time, the Bill intituled "An Act to consolidate and amend the two several Acts now in force relative to Accidents by Fire, and the Improvement of Property in Georgetown."

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

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

Read a second time, the Bill intituled "An Act to alter and amend the Act for the establishment of an Academy in Charlottetown."

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

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to consolidate and amend the two several Acts now in force relative to Accidents by Fire, and the Improvement of Property in Georgetown." After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with a certain amendment.

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

The said amendment was then read, and is as follows:

Folio 28, line 4—Strike out the word "four," and insert the word "five."

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

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

Adjourned until Twelve o'clock to-morrow.

SATURDAY, 19th March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. *Mr. Brecken,*

Mr. Worrell,

Mr. Macdonald,

Mr. Macintosh,

Mr. Dalrymple,

The Hon. *Mr. Macnutt,*

Mr. Holl,

Mr. Young,

Mr. Swabey.

PRAYERS.

READ the proceedings of yesterday.

According to Order, the House was called.

PRESENT:

The Hon. *Mr. Attorney General,*

Mr. Brecken,

Mr. Worrell,

Mr. Macdonald,

Mr. Macintosh,

Mr. Dalrymple,

The Hon. *Mr. Macnutt,*

Mr. Holl,

Mr. Young,

Mr. Swabey.

Pursuant to Order, the Bill intituled "An Act to consolidate and amend the two several Acts now in force relative to Accidents by Fire, and the Improvement of property in Georgetown," was read a third time, with the amendment.

Resolved, That the said Bill, with the amendment, do pass.

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

A Message from the House of Assembly, by Mr. Le Lacheur.

Mr. President,

The House of Assembly desire a Conference with the Legislative Council, on the amendments made to the Bill intituled "An Act to amend an Act for the appointment of Fish Inspectors, and to continue and extend the provisions of the Act now in force regulating the size and quality of Fish Barrels and Tierces, and the Weight of Fish made up therein," and have appointed Mr. Le Lacheur, Mr. Longworth, Mr. Clark and Mr. Montgomery a Committee to manage the said Conference.

On motion, *Ordered,* that a Conference be agreed to, as is desired by the House of Assembly.

Ordered, That Mr. *Young* and Mr. *Macintosh* be a Committee to manage the said Conference, to meet in the Committee Room instanter.

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

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

On motion, Ordered, that a further Conference be desired with the House of Assembly on the subject matter of the last Conference.

Ordered, That the same Committee who managed the last Conference, be a Committee to manage this further Conference, to meet in the Committee Room on Tuesday next, at Three o'clock.

The Order of the Day for the second reading of the Bill intituled "An Act for the regulation of the Fishery Reserves in this Island," being read—

On motion, that the House do go into the Order of the Day—it was moved, as an amendment, that the Order of the Day be discharged, and that the said Bill be read a second time this day six months.

The House divided on the amendment:

CONTENTS.

Mr. Swabey,
Mr. Macdonald,
Mr. Macnutt,
Mr. Holl,
Mr. Worrell,

NON-CONTENTS.

The President,
Mr. Brecken,
Mr. Macintosh,
Mr. Young,
Mr. Dalrymple.

And it passed in the negative.

The question being put on the original motion, the House divided:

CONTENTS.

The President,
Mr. Brecken,
Mr. Macintosh,
Mr. Young,
Mr. Dalrymple,

NON-CONTENTS.

Mr. Swabey,
Mr. Macdonald,
Mr. Macnutt,
Mr. Holl,
Mr. Worrell.

And it passed in the negative.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for the establishment of an Academy in Charlottetown." After some time, the House was resumed, and Mr. Young reported, that the Committee had gone through the Bill, and they recommend that the same be referred to a Special Committee to report thereon.

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

Ordered, That Mr. Swabey, Mr. Brecken and Mr. Young be a Committee for that purpose.

Read a second time, the Bill intituled "An Act to further amend the several Acts therein mentioned, relative to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases."

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

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

Ordered, That Mr. *Holl* have leave to absent himself on Monday next.

Adjourned until One o'clock on Monday next.

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MONDAY, 21st March, 1842.

PRESENT:

The Honorable Mr. <i>Attorney General</i> , President;	
The Hon. Mr. <i>Macdonald</i> ,	The Hon. Mr. <i>Swabey</i> .
<i>Mr. Macnutt</i> ,	

PRAYERS.

THERE not being a Quorum,
Adjourned until One o'clock to-morrow.

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TUESDAY, 22d March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. <i>Attorney General</i> , President;	
The Hon. Mr. <i>Brecken</i> ,	The Hon. Mr. <i>Dalrymple</i> ,
<i>Mr. Worrell</i> ,	<i>Mr. Macnutt</i> ,
<i>Mr. Macdonald</i> ,	<i>Mr. Young</i> ,
<i>Mr. Macintosh</i> ,	<i>Mr. Swabey</i> .

PRAYERS.

READ the proceedings of Saturday last.

The *President* informed the House, that Indisposition prevents Mr. *Holl* from attending in his place.

Ordered, That Mr. *Holl's* excuse be received.

On motion, Ordered, that this House do not insist on their amendments made to the Bill intituled "An Act further to explain and amend an Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, 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.'"

DISSENTIENT.

*The President,
Mr. Young.*

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to further amend the several Acts therein mentioned, relative to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases." After some time the House was resumed, and Mr. *Brecken* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments and alterations in the title.

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

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

Folio 1, line 7—Strike out from the word "inexpedient," to the word "is," in the Eleventh line, both words inclusive.

Folio 2, line 2—Strike out from the word "be," to the word "and," in folio 4, line 8, both inclusive.

Folio 4, line 8—After the word "enacted," insert "by the Lieutenant Governor, Council and Assembly."

In the Title, folio 1, line 2—Strike out from the word "therein," to the word "them," in line 6, both inclusive, and insert "regulating the Fees to be taken by Sheriffs in certain cases."

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

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

Read a second time, the Bill intituled "An Act to establish Criminal Sessions in the several Counties in this Island."

According to Order, the House was called.

PRESENT:

The HON. *Mr. Attorney General,*
Mr. Brecken,
Mr. Worrell,
Mr. Macdonald,
Mr. Macintosh,

The HON. *Mr. Dalrymple,*
Mr. Macnutt,
Mr. Young,
Mr. Swabey.

ABSENT.

Mr. Holl, excused from indisposition.

The Order of the Day for the second reading of the Bill intituled "An Act in further amendment of the several Acts therein mentioned, relating to the recovery of Small Debts, and for extending the jurisdiction of Justices of the Peace, and Commissioners of Small Debts, to the recovery of sums under Ten Pounds, in certain cases," being read—

The Bill was accordingly read a second time.

Mr. *Swabey*, from the Special Committee to whom was referred the Bill intituled "An Act to alter and amend the Act for the establishment of an Academy in Charlottetown," reported, that the Committee had examined the said Bill, and that they had made several amendments thereto, which they recommend to the adoption of the House.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the said Report. After some time, the House was resumed, and Mr. *Young* reported, that the Committee had made some progress therein, and they recommend that a Conference be desired with the House of Assembly on the said Bill; and further, that he was directed by the Committee to move that they may have leave to sit again.

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

Ordered, That Mr. *Young*, Mr. *Brecken* and Mr. *Swabey* be a Committee to manage the said Conference, to meet in the Committee Room to-morrow at Three o'clock.

A Message from the House of Assembly, by Mr. *Le Lacheur*.

Mr. President,

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

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

Mr. *Swabey*, from the Joint Committee of the Council and Assembly, appointed to prepare an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to forward the Joint Address of both Houses to Her Majesty, relative to the disposal of the Moneys arising from the Sale of the School Lands—reported the Draft of an Address, as prepared by the Joint Committee, and which he read in his place, and was afterwards read by the Clerk, and is as follows:

To His Excellency SIR HENRY VERE HUNTLEY, Knight, 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 Assembly having agreed to an Address to Her Majesty, praying that she will be graciously pleased to authorize the disposal of the Moneys now in the Treasury of this Island, arising from the Sale of the School Lands, under the authority of the Provincial Act of 5th Will. 4th, cap. 13, in the manner prayed for by that Address, request that your Excellency will be pleased to forward the said Address, that the same may be laid at the foot of the Throne; and be further pleased to recommend its prayer to the favourable consideration of Her Majesty.

On motion, the said Address was agreed to, and ordered to be engrossed.

A Message from the House of Assembly, by Mr. D. Macdonald.

Mr. President,

The House of Assembly do agree to a Conference, as is desired by the Legislative Council on the Bill intituled "An Act to alter and amend the Act for the establishment of an Academy in Charlottetown," and have appointed Mr. Macdonald, Mr. Le Lacheur, Mr. Macintosh, Mr. Rae, Mr. Clark and Mr. Fraser, a Committee to manage the said Conference.

A Message from the House of Assembly, by Mr. Le Lacheur.

Mr. President,

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

On motion, Ordered, that a further Conference be agreed to, as is desired by the House of Assembly.

Ordered, That the same Committee who managed the last Conference, be a Committee to manage this further Conference.

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

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

Adjourned until Twelve o'clock to-morrow.

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WEDNESDAY, 23d March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

Mr. *Worrell*,

Mr. *Macdonald*,

Mr. *Dalrymple*,

The Hon. Mr. *Macnutt*,

Mr. *Young*,

Mr. *Swabey*.

PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the Bill intituled "An Act to further amend the several Acts therein mentioned, relating to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases," was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act in further amendment of the several Acts therein mentioned, relating to the recovery of Small Debts, and for extending the jurisdiction of Justices of the Peace, and Commissioners of Small Debts, to the recovery of sums under Ten Pounds, in certain cases." After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

The time appointed for holding the Conference with the House of Assembly, on the Bill intituled "An Act to alter and amend the Act for the establishment of an Academy in Charlottetown," having arrived, the names of the Managers were called over, and having gone to the Conference, and being returned, they reported that they had complied with the instructions given them by this House.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act in further amendment of the several Acts therein mentioned, relating to the recovery of Small Debts, and for extending the jurisdiction of Justices of the Peace, and Commissioners of Small Debts, to the recovery of sums under Ten Pounds, in certain cases." After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments, and alterations in the title.

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

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

Folio 2, line 5—After the word "have," insert "by themselves, or their Clerk."

Folio 4, line 10—After the word "appear," strike out until the word "to;" and after the word "to," insert "the satisfaction of."

Folio 6, second clause, line 8—After the word "Summonses," insert "by themselves, or their Clerk."

Same folio, line 12—After the word "Pounds," insert "the unavoidable absence of such Commissioners being made to appear as aforesaid;" and strike out the words "on Oath or Affidavit being made as aforesaid."

Folio 7, line 12—Strike out from the word "whereas," to the word "notwithstanding," in folio 11, line 5, both inclusive.

Folio 11, line 6—Strike out the words "Provided always."

Folio 12, line 9—Strike out from the word "and," to the word "Island," in folio 14, line 11, both inclusive.

Folio 16, line 4—After the word "provisions," strike out to the word "amendment," in line 5, inclusive, and insert "of an Act to authorize the Justices of the Peace, and Commissioners under the Small Debt Act, to issue Writs of summary Capias against persons about to leave this Island."

Folio 17, line 7—Strike out the words "the said Sureties," and insert "the said Defendant."

Same folio, line 9—After the word "forthwith," insert the following:—"And if the said Defendant shall so have given such security to appear and perfect his appeal, within the said two days, and shall make default therein, then, and in such case, it shall be lawful for the Justice of the Peace, or Commissioner, to issue Execution against the said Sureties, for the amount of such judgment, and costs forthwith."

Folio 17, line 12—Strike out from the word “and,” to the word “third,” in folio 23, line 2, both inclusive.

Folio 23, line 5—After the word “Debts,” insert “or any Clerk duly appointed by them.”

Same folio, line 10—After the word “Debts,” insert “or Clerk duly appointed.”

Folio 25, line 1—After the word “of,” strike out to the word “amendment,” in line 3, inclusive, and insert “any Act for the recovery of Small Debts.”

Folio 26, line 5—After the word “me,” insert “I have reason to believe that.”

Same folio, line 11—Strike out from the word “and,” to the word “longer,” in folio 28, line 4, both inclusive.

In the Title—Strike out from the word “and,” in line 4, to the word “cases,” in line 9, both inclusive.

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

Ordered, That Mr. *Macnutt* have leave to absent himself until Thursday the Thirty-first instant.

Adjourned until Twelve o'clock to-morrow.

THURSDAY, 24th March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. <i>Attorney General</i> , President;	
The Hon. Mr. <i>Brecken</i> ,	The Hon. Mr. <i>Macintosh</i> ,
Mr. <i>Worrell</i> ,	Mr. <i>Dalrymple</i> ,
Mr. <i>Macdonald</i> ,	Mr. <i>Swabey</i> .

PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the Bill intituled “An Act in further amendment of the several Acts therein mentioned, relating to the recovery of Small Debts, and for extending the jurisdiction of Justices of the Peace, and Commissioners of Small Debts, to the recovery of sums under Ten Pounds, in certain cases,” was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

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

H. V. HUNTLEY, Lieut. Governor.

The Lieutenant Governor is desirous that the Legislative Council, at its rising to day, should adjourn until Monday the 28th instant.

Government House, 24th March, 1842.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act to establish Criminal Sessions in the several Counties in this Island." After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

In accordance with His Excellency the Lieutenant Governor's Message, the House adjourned until Monday the 28th instant, at Twelve o'clock.

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MONDAY, 28th March, 1842.

PRESENT:

The Hon. Mr. *Attorney General*, President;
 The Hon. *Mr. Macdonald*,
Mr. Dalrymple,
 The Hon. *Mr. Macintosh*,

PRAYERS.

THERE not being a Quorum,

Adjourned until Twelve o'clock to-morrow.

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TUESDAY, 29th, March, 1842.

PRESENT:

The Hon. Mr. *Attorney General*, President;
 The Hon. *Mr. Mr. Brecken*,
Mr. Macdonald,
Mr. Macintosh,
 The Hon. *Mr. Dalrymple*,
Mr. Holl.

PRAYERS.

THERE not being a Quorum,

Adjourned until One o'clock to-morrow.

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WEDNESDAY, 30th March, 1842.

PRESENT:

The Hon. Mr. *Attorney General*, President;
 The Hon. *Mr. Brecken*,
Mr. Macdonald,
Mr. Dalrymple,
 The Hon. *Mr. Young*,
Mr. Swabey.

PRAYERS.

THERE not being a Quorum,

Adjourned until Twelve o'clock to-morrow.

THURSDAY, 31st March, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. <i>Attorney General</i> , President;	
The Hon. <i>Mr. Brecken</i> ,	The Hon. <i>Mr. Dalrymple</i> ,
<i>Mr. Worrell</i> ,	<i>Mr. Young</i> ,
<i>Mr. Macdonald</i> ,	<i>Mr. Swabey</i> .

PRAYERS.

READ the proceedings of Thursday the 24th instant.

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

A Bill intituled "An Act to authorize the appointment of Commissioners to manage certain Shares and Property in the Prince Edward Island Steamboat Company, on behalf of the Government of this Colony."

A Bill intituled "An Act to authorize the Treasurer of this Island to pay off Treasury Warrants, to the amount of Four thousand Pounds, out of the Land Assessment Moneys now in the Treasury."

Also,

A Bill intituled "An Act to further amend an Act made and passed in the Fourth year of the Reign of the late King William the Fourth, for ascertaining the Boundaries of the several Townships in this Island."

Read the said Bills a first time.

A Message from the House of Assembly, by Mr. Thomson, with a Bill intituled "An Act to authorize the appointment of Coal Meters, where deemed necessary," to which they desire the concurrence of the Legislative Council.

Also, with the Bill intituled "An Act to consolidate and amend the two several Acts now in force relative to Accidents by Fire, and the Improvement of Property in Georgetown." Agreed to, as amended by the Legislative Council.

Read a first time, the Bill intituled "An Act to authorize the appointment of Coal Meters, where deemed necessary."

On motion, Ordered, that the further consideration of the Bill intituled "An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways," do stand as the Order of the Day for to-morrow, and that the Members of the House be summoned for to-morrow.

A Message from the House of Assembly, by Mr. D. Macdonald.

Mr. President,

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

And also,

Mr. President,

The House of Assembly desire a Conference with the Legislative Council, on the Bill intituled "An Act to further amend the several Acts therein mentioned, relative to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases," and have appointed Mr. D. Macdonald, Mr. Thomson, Mr. Yeo and Mr. Rae, a Committee to manage the said Conference.

On motion, Ordered, that a further Conference be agreed to, as is desired by the House of Assembly, on the subject matter of the last Conference.

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

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

On motion, Ordered, that a Conference be agreed to, as is desired by the House of Assembly, on the Bill intituled "An Act to further amend the several Acts therein mentioned, relative to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases."

Ordered, That Mr. Young and Mr. Brecken be a Committee to manage the said Conference, to meet in the Committee Room this day at four o'clock.

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

On motion, Resolved, that the House of Assembly be requested to furnish this House with all the Examinations of Witnesses that have been taken, and all the Documents, Maps and Plans before the House of Assembly, on the subject of the Bill intituled "An Act to further amend an Act made and passed in the Fourth year of the Reign of the late King William the Fourth, for ascertaining the Boundaries of the Townships in this Island."

Read a second time, the Bill intituled "An Act to authorize the appointment of Coal Meters where deemed necessary."

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

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

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

Read a second time, the Bill intituled "An Act to authorize the appointment of Commissioners to manage certain Shares and Property in the Prince Edward Island Steam-boat Company, on behalf of the Government of this Colony."

The time appointed for holding the Conference with the House of Assembly, on the subject matter of the last Conference, having arrived, the Managers went to the Conference, and being returned, reported, that they had met the Managers on the part of the

House of Assembly, who had delivered to them the Bill intituled "An Act to alter and amend the Act for the establishment of an Academy in Charlottetown," together with the amendments; and also a paper containing as follows:—

Resolved, That this House will not agree to the suggestions of the Council for increasing the Salary of the Head Master of the Academy, to the sum proposed by the Council; but that a further Conference be requested with the Council, on the said Bill, and that the Managers on the part of this House, be instructed to state to the Council, that the House will have no objections so far to reconsider the Bill, as to allow the Head Master of the Academy the sum of £150, the Under Master £100, as already provided, and the remaining £20 to be placed at the disposal of the Trustees of the Institution, for the purpose of keeping the Building in repair, and for providing Philosophical Apparatus, for the use of the Pupils; and further, that the said Managers be instructed to state, that this House will so far modify the said Bill, as to increase the number of Trustees to Thirteen, as suggested by the Council.

The time appointed for holding the Conference with the House of Assembly, on the amendments made to the Bill intituled "An Act further to amend the several Acts therein mentioned relative to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases," having arrived, the Managers went to the Conference, and being returned, reported, that they had met the Managers on the part of the House of Assembly, who had delivered to them the said Bill, with the amendments, and also a paper containing as follows:—

The House of Assembly disagree to the amendments made by the Legislative Council to the Bill intituled "An Act to further amend the several Acts therein mentioned, relating to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases," for the following reasons:—

Because the House of Assembly conceive that the amendments made by the Legislative Council, are contrary to the spirit and intention of the Act of 26th Geo. 3d, cap. 15, which declares, that the same person being continued in the office of Provost Marshal, might be prejudicial, lest, being a needy man, he might be "induced thereby to practice extortion, and to become variously oppressive to Her Majesty's subjects; and that therefore it was expedient to appoint Sheriffs, as being in office only for one year.

Because, the above mentioned Act was, for a further reason, enacted, "to bring this Government, as near as may be, to resemble the envied and happy condition of our Mother Country;" which constitution provides that none that hath been a Sheriff of any County a Year, shall, within two years next, be chosen again, or put in the same office, if there be other sufficient. And further, that no Sheriff shall tarry or abide in his office above One Year, upon pain to forfeit £200 for every year.

Because, the House of Assembly conceive that the practice of continuing the same person, year after year, in the office of Sheriff, has a direct tendency to expose the country to the same evils, as stated in the first reason held likely to flow from the office of Provost Marshal; and further, may be used in a great measure to defeat the freedom of Elections.

On motion, Ordered, that a further Conference be desired with the House of Assembly on the amendments made to the Bill intituled "An Act to alter and amend the Act for the establishment of an Academy in Charlottetown.

DISSENTIENT.

The President,
Mr. Dalrymple.

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

A Message from the House of Assembly, by Mr. D. Macdonald.
Mr. President,

The House of Assembly do agree to a further Conference, as is desired by the Legislative Council, on the amendments made to the Bill intituled "An Act to alter and amend the Act for the establishment of an Academy in Charlottetown," and have appointed the same Committee who managed the former Conference, a Committee to manage this further Conference.

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

Adjourned until Twelve o'clock to-morrow.

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FRIDAY, 1st April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken,*

Mr. Worrell,

Mr. Macdonald,

Mr. Macintosh,

The Hon. Mr. *Dalrymple,*

Mr. Young,

Mr. Swabey.

PRAYERS.

READ the proceedings of yesterday.

The *President* informed the House, that Indisposition prevents Mr. *Holl* from attending in his place.

Ordered, That Mr. *Holl's* excuse be received.

Pursuant to Order, the Bill intituled "An Act to authorize the appointment of Coal Meters, where deemed necessary," was read a third time.

Resolved, That the said Bill do pass.

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

According to Order, the House was called.

PRESENT:

The HON. *Mr. Attorney General,*
Mr. Brecken,
Mr. Worrell,
Mr. Macdonald,

The HON. *Mr. Macintosh,*
Mr. Dalrymple,
Mr. Young,
Mr. Swabey.

ABSENT.

Mr. Macnutt,

Mr. Holl, excused from indisposition.

Pursuant to Order, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways." After some time, the House was resumed, and *Mr. Swabey* reported, that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

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

A Bill intituled "An Act to explain certain parts of an Act to consolidate and amend the Election Laws."

A Bill intituled "An Act to amend the Acts now in force relating to a Fire Engine Company, and accidents by Fire within Charlottetown."

A Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned."

Also,

A Bill intituled "An Act to prevent the taking and carrying away of Boats, Canoes or Flats without the consent of the Owners thereof; and to repeal an Act formerly passed for that purpose."

Read the said Bills a first time.

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

H. V. HUNTLEY, Lieut. Governor.

The Lieutenant Governor brings under the notice of the Legislative Council, the great difficulty which exists in the due execution of the Laws, especially in Charlottetown, from the want of an efficient Constabulary force, and recommends to the Council to pass a Bill for the establishment of such Constabulary force for Charlottetown, to act in Criminal cases only; recent events having convinced the Lieutenant Governor, as it must the Legislative Council, of the urgent necessity for such a measure.

Government House, 1st April, 1842.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act to authorize the appointment of Commissioners to manage cer-

tain Shares and Property in the Prince Edward Island Steam-boat Company, on behalf of the Government of this Colony." After some time, the House was resumed, and Mr. Young reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

On motion, Ordered, that the Members of the House be summoned for to-morrow, at Twelve o'clock.

Adjourned until Twelve o'clock to-morrow.

SATURDAY, 2d April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

Mr. *Worrell*,

Mr. *Macdonald*,

Mr. *Dalrymple*,

The Hon. Mr. *Holl*,

Mr. *Young*,

Mr. *Swabey*.

PRAYERS.

READ the proceedings of yesterday.

The *President* informed the House, that Indisposition prevents Mr. *Macintosh* from attending in his place.

Ordered, That Mr. *Macintosh's* excuse be received.

Read a second time, the Bill intituled "An Act to explain certain parts of the Act to consolidate and amend the Election Laws."

Read a second time, the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned."

Read a second time, the Bill intituled "An Act to amend the Acts now in force relating to a Fire Engine Company, and Accidents by Fire within Charlottetown."

Read a second time, the Bill intituled "An Act to prevent the taking and carrying away of Boats, Canoes or Flats, without the consent of the owners thereof; and to repeal an Act formerly passed for that purpose."

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act to explain certain parts of the Act to consolidate and amend the Election Laws." After some time, the House was resumed, and Mr. *Brecken* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments.

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

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

Folio 5, line 1—After the word “writing,” insert “for a term of years.”

Same Folio, line 7—Strike out the word “Eighth,” and insert “Ninth.”

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

On motion, Ordered, that the amendments be engrossed, and that the Bill, with the amendments, be read a third time on Monday next.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled “An Act to prevent the taking and carrying away of Boats, Canoes or Flats, without the consent of the Owners thereof, and to repeal an Act formerly passed for that purpose.” After some time, the House was resumed, and Mr. *Macdonald* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments.

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

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

Folio 2, line 2—Strike out the word “of.”

Same folio, line 9—Strike out the word “any.”

Same folio, same line—Strike out from the word “of,” to the word “under,” in the tenth line, both inclusive.

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

Ordered, That the said amendments be engrossed, and that the Bill, with the amendments, be read a third time on Monday next.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled “An Act to amend the Acts now in force relating to a Fire Engine Company, and Accidents by Fire within Charlottetown.” After some time, the House was resumed, and Mr. *Young* reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

According to Order, the House was called.

PRESENT:

The HON. *Mr. Attorney General,*
Mr. Brecken,
Mr. Worrell,
Mr. Macdonald,

The HON. *Mr. Dalrymple,*
Mr. Holl,
Mr. Young,
Mr. Swabey.

ABSENT:

The HON. *Mr. Macintosh,* excused from indisposition.
Mr. Macnutt.

On motion, Ordered, that the Members of this House be summoned for Monday next, at Twelve o'clock.

Adjourned until Twelve o'clock on Monday next.

MONDAY, 4th April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

<p style="text-align: center;">The Honorable Mr. <i>Attorney General</i>, President;</p> <p>The Hon. Mr. <i>Brecken</i>, <i>Mr. Worrell</i>, <i>Mr. Macdonald</i>, <i>Mr. Macintosh</i>,</p>	<p style="text-align: center;">The Hon. Mr. <i>Dalrymple</i>, <i>Mr. Holl</i>, <i>Mr. Young</i>, <i>Mr. Swabey</i>.</p>
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PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the Bill intituled "An Act to explain certain parts of the Act to consolidate and amend the Election Laws," was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

Pursuant to Order, the Bill intituled "An Act to prevent the taking and carrying away of Boats, Canoes or Flats, without the consent of the Owners thereof, and to repeal an Act formerly passed for that purpose."

Resolved, That the said Bill, with the amendments, do pass.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to amend the Acts now in force relating to a Fire Engine Company, and Accidents by Fire within Charlottetown." After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments.

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

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

Folio 7, line 10—After the word "Act," insert the following:—

" And be it further enacted, that within One Calendar Month from and after the publication hereof, 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 Council, to appoint Four persons within the Town of Charlottetown, to be additional Fire Wardens, which persons shall be sworn faithfully to discharge their duty, and who shall remain in office during the continuance of this Act; and whos duty particularly shall be to attend at Fires, and to have the same badge of office, and the same power and authority thereat, as Fire Wardens shall have, under and by virtue of this Act, and now have under and by virtue of the Act of which this is an amendment."

Folio 18, line 12—After the word "recited," insert—

" And be it further enacted, That the Tenant or Occupant of every House in the said Town, of the yearly value of Twenty Pounds, and upwards, shall be provided with, and

“ keep, One Leather Bucket, in addition to the one already by Law prescribed by him to be kept, of the same size, with the Owner’s name painted thereon, and to be kept hung up in the same place; and in case of any neglect thereof, the same Tenant or Occupier shall be liable to the same penalty, as is set forth in the Eighth section of the said Act of the 4th W. 4th, intituled An Act for the better preventing Accidents by Fire within the Town of Charlottetown.”

“ And be it further enacted, That so often as any such additional Fire Warden shall vacate his office from any cause whatsoever, it shall be lawful for the Lieutenant Governor, in Council, to appoint another Fire Warden in his room, in the manner herein-before prescribed.”

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

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “ An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways.” After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with a certain amendment, and an alteration in the title.

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

The said amendment, with the alteration in the title, was then read, and is as follows:—

Last folio, last line—After the word “ notwithstanding,” insert—

“ Provided nevertheless, That nothing in this Act contained shall have any force or effect until Her Majesty’s pleasure thereon shall be known.”

Strike out the Title, and insert the following instead thereof:—

“ An Act to alter, and in addition to an Act made and passed in the Tenth year of the Reign of His late Majesty King George the Fourth, relating to the laying out and altering of Highways, and for other purposes therein mentioned.”

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

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

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled “ An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned.” After some time, the House was resumed, and Mr. *Holl* reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

Adjourned until Twelve o’clock to-morrow.

TUESDAY, 5th, April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. *Mr. Brecken*,

Mr. Worrell,

Mr. Macdonald,

Mr. Dalrymple,

The Hon. *Mr. Holl*,

Mr. Young,

Mr. Swabey.

PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the Bill intituled "An Act to amend the Acts now in force relating to a Fire Engine Company, and Accidents by Fire within Charlottetown," was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned." After some time, the House was resumed, and Mr. *Holl* reported, that the Committee had made further progress therein, and that he was directed to move that they may have leave to sit again.

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

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

A Bill intituled "An Act to amend an Act made and passed in the Third year of Her present Majesty, intituled "An Act to prohibit the Exportation of Oysters, from this Island, for a limited period.'"

A Bill intituled "An Act to consolidate, amend, and reduce into one Act, the several Acts, and parts of Acts, relating to the Qualification, and mode of Summoning Grand and Petit Jurors."

Also, with the Examinations taken before the House of Assembly, and the Maps, Plans and Documents, on the subject of the Bill intituled "An Act to further amend an Act made and passed in the Fourth year of the Reign of the late King William the Fourth, for ascertaining the Boundaries of the several Townships in this Island," as requested by the Legislative Council.

Read a first time, the Bill intituled "An Act to amend an Act made and passed in the Third year of Her present Majesty, intituled "An Act to prohibit the Exportation of Oysters from this Island, for a limited period."

Read a first time, the Bill intituled "An Act to consolidate, amend, and reduce into one Act, the several Acts, and parts of Acts, relating to the Qualification and mode of Summoning Grand and Petit Jurors."

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to amend the Act now in force relating to Apprentices." After some time, the House was resumed, and Mr. *Holl* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments.

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

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

Folio 4, line 1—Strike out from the word "or," to the word "child," in line 5, both inclusive.

Same Folio, line 10—After the word "Association," insert "or being supported by any sums voted by the Legislature of this Island."

Folio 5, line 5—Strike out from the word "until," to the word "and," in the Eighth line, both inclusive, and insert "for any term to be fixed at the discretion of such Justices; provided, that in no case the child so to be indented, shall be bound by any such Indenture, after attaining the age of Twenty-one years."

Folio 7, line 1—Strike out from the word "and," to the word "prescribed," in folio 8, line 7, both inclusive.

Folio 9, line 7—After the word "Mistress," insert "or otherwise misconduct himself or herself."

Same folio 9, line 9—Strike out from the word "to," to the word "shall," in folio 10, line 3, both inclusive, and insert "to issue his Warrant on the application, on Oath, of the Master or Mistress of such Apprentice, for his or her apprehension; which Warrant so issued, it shall be lawful for any Constable or Constables, to whom it may be addressed, to execute in any County of this Island, notwithstanding it may have been issued by one of Her Majesty's Justices of the Peace, not qualified in the County where its execution may be required; and on such Apprentice being brought before such Justice, he shall, upon the evidence on oath of the said Master or Mistress, or of any other person, either commit the said Apprentice to the common Jail of the County, wherein such Master or Mistress resides, there to remain, with or without hard labour, for any term not exceeding One Calendar Month; or require such Apprentice to return to the service of such Master or Mistress, as he may, in his discretion, adjudge, or otherwise."

Folio 10, line 5—Strike out from the word "and," to the word "Months," in line 11, both inclusive.

Folio 12, line 4—After the word "other," insert "unlawful."

Folio 14, line 14—Strike out from the word "Commissioner," to the word "Debts," in folio 15, line 1, both inclusive, and insert "any one of Her Majesty's Justices of the Peace."

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

On motion, Ordered, that the said amendments be engrossed, and that the said Bill, with the amendments, be read a third time to-morrow.

On motion, Ordered, that the second reading of the Bill intituled "An Act to authorize the Treasurer of this Island to pay off Treasury Warrants, to the amount of Four thousand Pounds, out of the Land Assessment Moneys now in the Treasury," do stand as the Order of the Day for Friday next, and that the Members of the House be summoned for that day.

Read a second time, the Bill intituled "An Act to amend an Act made and passed in the Third year of Her present Majesty, intituled 'An Act to prohibit the Exportation of Oysters from this Island, for a limited period.'"

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

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

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

On motion, Ordered, that the Members of the House be summoned for to-morrow.

Adjourned until Twelve o'clock to-morrow.

WEDNESDAY, 6th April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

Mr. *Worrell*,

Mr. *Macdonald*,

Mr. *Macintosh*,

The Hon. Mr. *Dalrymple*,

Mr. *Holl*,

Mr. *Young*,

Mr. *Swabey*.

PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the Bill intituled "An Act to provide a less expensive mode of carrying into operation, in certain cases, the provisions of the several Acts now in force for regulating the laying out and altering of Highways," was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

DISSENTIENT.

Mr. *Worrell*.

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

A Message from the House of Assembly, by Mr. *Rae*, with a Bill intituled "An Act to provide for the payment of an Agent in Great Britain, for the House of Assembly of this Island," to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

Ordered, That the second reading of the said Bill do stand as the Order of the Day for Monday next, and that the Members of the House be summoned for that day.

Pursuant to Order, the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned," was read a third time, with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

Pursuant to Order, the Bill intituled "An Act made and passed in the Third year of Her present Majesty, intituled 'An Act to prohibit the Exportation of Oysters from this Island for a limited period,'" was read a third time.

Resolved, That the said Bill do pass.

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

Read a second time, the Bill intituled "An Act to consolidate, amend, and reduce into one Act, the several Acts, and parts of Acts, relating to the Qualification and mode of Summoning Grand and Petit Jurors." On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. Young reported, that the Committee had gone through the Bill, and that they had agreed to the same, without any amendment.

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

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

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

Mr. President,

The House of Assembly desire a Conference with the Legislative Council, on the amendments made to the Bill intituled "An Act to amend the Acts now in force relating to a Fire Engine Company, and Accidents by Fire within Charlottetown," and have appointed Mr. Palmer, Mr. Longworth, the Hon. J. S. Macdonald, and Mr. Montgomery, a Committee to manage the said Conference.

On motion, *Ordered*, that a Conference be agreed to, as is desired by the House of Assembly.

Ordered, That Mr. Young and Mr. Swabey be a Committee to manage the said Conference, to meet in the Committee Room to-morrow, at half-past four o'clock.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the consideration of the Reasons offered by the House of Assembly, for disagreeing to the amendments made to the Bill intituled "An Act to further amend the several Acts therein mentioned, relating to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases." After some time, the House was resumed, and Mr. Young reported, that the Committee recommend that the House do insist on their amendments to the said Bill, and that a Committee be appointed to prepare Reasons for insisting on the said amendments.

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

Ordered, That Mr. Young and Mr. Brecken be a Committee to prepare Reasons in accordance with the said Report.

According to Order, the House was called.

PRESENT:

The HON. *Mr. Attorney General*,
Mr. Brecken,
Mr. Worrell,
Mr. Macdonald,
Mr. Macintosh,

The HON. *Mr. Dalrymple*,
Mr. Holl,
Mr. Young,
Mr. Swabey.

ABSENT:

Mr. Macnutt.

On motion, Ordered, that the Bill intituled "An Act to further amend an Act made and passed in the Fourth year of the Reign of the late King William the Fourth, for ascertaining the Boundaries of the several Townships in this Island," be committed to a Committee of the whole House on Friday next; and that the Members of the House be summoned for that day.

Ordered, That *Mr. Macdonald* have leave to absent himself to-morrow.

Adjourned until Three o'clock to-morrow.

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THURSDAY, 7th April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable *Mr. Attorney General*, President;

The HON. *Mr. Brecken*,
Mr. Worrell,
Mr. Macintosh,

The HON. *Mr. Dalrymple*,
Mr. Young,
Mr. Swabey.

PRAYERS.

READ the proceedings of yesterday.

Pursuant to Order, the Bill intituled "An Act to consolidate, amend, and reduce into one Act, the several Acts, and parts of Acts, relating to the Qualification and mode of Summoning Grand and Petit Jurors," was read a third time.

Resolved, That the said Bill do pass.

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

A Message from the House of Assembly, by *Mr. Palmer*, with a Bill intituled "An Act for the Destruction of Ox Eye Daisies," to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

The time appointed for holding the Conference with the House of Assembly, on the amendments made to the Bill intituled "An Act to amend the Acts now in force relating to a Fire Engine Company, and Accidents by Fire within Charlottetown," having arri-

ved, the Managers went to the Conference, and being returned, reported, that they had met the Managers on the part of the House of Assembly, who had acquainted them that the House of Assembly had disagreed to the amendments made by the Council to the said Bill.

A Message from the House of Assembly, by Mr. D. Macdonald, with the Bill intituled "An Act to explain certain parts of the Act to consolidate and amend the Election Laws," agreed to, as amended by the Legislative Council.

And also, with the following written Message:

Mr. President,

The House of Assembly desire a Conference with the Legislative Council, on the amendments made to the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned," and have appointed Mr. Palmer, Mr. Clark, Mr. Longworth, and Mr. D. Macdonald, a Committee to manage the said Conferenee.

In the House of Assembly,

Wednesday, April 6th, 1842.

Ordered, That a copy of the Resolution adopted by this House on the 23d ultimo, relative to the Message sent down by the Legislative Council, on the subject of making application for conferring on Charlottetown the privilege of a Free Warehousing Port, be communicated by Message to the Legislative Council.

"Resolved, That it is the opinion of this Committee, that it is at present inexpedient to apply for the conferring on Charlottetown the privilege of a Free Warehousing Port."

On motion, Ordered, that a Conference be agreed to, as is desired by the House of Assembly, on the amendments made to the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned."

Ordered, That Mr. Young and Mr. Worrell be a Committee to manage the said Conference, to meet in the Committee Room instanter.

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

And the names of the managers being called over, they went to the Conference, and being returned, they reported that they had met the Managers on the part of the House of Assembly, who had acquainted them that the House of Assembly had agreed to the 2d amendment, and the 5th, 6th, 7th, 8th and 9th amendments, but that they had disagreed to the 1st amendment, and the 3d and 4th amendments.

On motion, Ordered, that this House do not insist on their amendments to the Bill intituled "An Act to amend the Acts now in force relating to a Fire Engine Company, and Accidents by Fire within Charlottetown."

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

Read a second time, the Bill intituled "An Act to establish Criminal Sessions in the several Counties in this Island."

Adjourned until Twelve o'clock to-morrow.

FRIDAY, 8th April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. <i>Attorney General</i> , President;	
The Hon. <i>Mr. Brecken</i> ,	The Hon. <i>Mr. Dalrymple</i> ,
<i>Mr. Worrell</i> ,	<i>Mr. Holl</i> ,
<i>Mr. Macdonald</i> ,	<i>Mr. Young</i> ,
<i>Mr. Macintosh</i> ,	<i>Mr. Swabey</i> .

PRAYERS.

READ the proceedings of yesterday.

On motion, Ordered, that the Order of the Day for the second reading of the Bill intituled "An Act to authorize the Treasurer of this Island to pay off Treasury Warrants, to the amount of Four thousand Pounds, out of the Land Assessment Moneys now in the Treasury," be postponed until Monday next.

According to Order, the House was called.

PRESENT:

The Hon. <i>Mr. Attorney General</i> ,	The Hon. <i>Mr. Dalrymple</i> ,
<i>Mr. Brecken</i> ,	<i>Mr. Holl</i> ,
<i>Mr. Worrell</i> ,	<i>Mr. Young</i> ,
<i>Mr. Macdonald</i> ,	<i>Mr. Swabey</i> .
<i>Mr. Macintosh</i> ,	

ABSENT.

Mr. Macnutt.

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

A Bill intituled "An Act for the Increase of the Revenue of this Island."

A Bill intituled "An Act for imposing a Duty on all Distilled Spirituous Liquors, Manufactured, Extracted or Distilled within this Island."

A Bill intituled "An Act for the Incorporation of the Prince Edward Island Steam Navigation Company."

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 forty-two."

Read the said Bills a first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to establish Criminal Sessions in the several Counties in this Island." After some time, the House was resumed, and Mr. *Macdonald* reported, that the Committee had made some progress therein, and that he was directed to move that they may have leave to sit again.

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

Pursuant to Order, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act to further amend an Act made and passed in the Fourth year of the Reign of the late King William the Fourth, for ascertaining the Boundaries of the several Townships in this Island." After some time, the House was resumed, and Mr. *Macdonald* reported, that the Committee had made some progress therein; that they had examined William Cundall, Esq. one of the Commissioners for establishing Boundary Lines, touching the said Bill—and further, that he was directed by the Committee to move that they may have leave to sit again.

On motion, Ordered, that the Report of the Committee be received, and that they have leave to sit again.

On motion, Ordered, that the second reading of the Bill intituled "An Act for the Increase of the Revenue of this Island," do stand as the Order of the Day for to-morrow, and that the Members of the House be summoned.

Ordered, That Mr. *Holl* have leave to absent himself to-morrow.

Adjourned until Ten o'clock to-morrow.

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SATURDAY, 9th April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

The Hon. Mr. *Dalrymple*,

Mr. *Worrell*,

Mr. *Young*,

Mr. *Macdonald*,

Mr. *Swabey*.

Mr. *Macintosh*,

PRAYERS.

READ the proceedings of yesterday.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to further amend an Act made and passed in the Fourth year of the Reign of the late King William the Fourth, for ascertaining the Boundaries of the several Townships in this Island." After some time, the House was resumed, and Mr. *Macdonald* reported, that the Committee had gone through the Bill, and that they had agreed to a Resolution, which they recommend to the adoption of the House, and the said Resolution was read, and is as follows:—

Resolved, That the further consideration of the Bill be deferred until the next Session of the Legislature; and that the same be published three several times in each of the Newspapers; and that Fifty copies of this Act be printed, and be circulated by means of posting them on the several places of Divine worship, and otherwise, in the Townships affected by the said Bill, in order that parties interested may be notified of the proposed alterations contemplated, in accordance with the Royal Instructions.

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

Read a second time, the Bill intituled "An Act for the Incorporation of the Prince Edward Island Steam Navigation Company."

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

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

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

Folio 4, line 15—Strike out from the word "that," to the end of the clause, and insert "the majority of the said Commissioners on the part of the Government, shall be entitled to give Fifteen Votes on the behalf of the Government, at all general meetings of the said Company, so long as the number of One hundred and fifty Shares shall be held by the Government in the said Company, and so in proportion for a lesser number of Shares from time to time held by the Government in accordance with the previous provisions of this Act respecting the right of Shareholders to vote at the said general meetings of the said Company."

Folio 5, line 24—Strike out the word "empowered," and the remainder of the clause, and insert "and they are hereby required to take security to such amount as may be necessary from all or any persons intrusted with the custody or expenditure of any of the funds, or other effects of said Company."

Folio 6, line 12—After the word "and," insert "after the expiration of such Thirty Days' Notice."

Same folio, line 13—After the word "least," insert "other."

Same folio, line 15—After the word "Newspapers," insert "Provided always, such instalments so called, be not paid up within the said sixty days."

Folio 7, line 21—Strike out the word "Directors," and insert "Company."

Folio 8, line 6—After the word "Shares," insert "or by the majority of the Commissioners to be appointed by the Government to manage the Shares of the Government in the said Company, so long as the Government shall hold One hundred and fifty Shares in the said Company."

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

Ordered, that the said amendments be engrossed.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act to authorize the appointment of Commissioners to manage certain Shares and Property in the Prince Edward Island Steam Navigation Company, on behalf of the Government of this Colony." After some time, the House was resumed, and Mr. *Swabey* reported, that the Committee had gone through the Bill, and that they had agreed to the same, with a certain amendment.

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

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

Folio 3, last line—Strike out from the word "who," inclusive, to the end of the clause in folio 4, and insert the following—"And the majority of the said Commissioners shall be entitled to give Fifteen Votes on the behalf of the Government, at all general meetings of the

“ said Company, so long as the number of One hundred and fifty Shares shall be held
 “ by the Government in the said Company, and so in proportion for any lesser number
 “ of Shares, from time to time held by the Government, in accordance with the pro-
 “ visions of the Act of the General Assembly, passed this present Session, intituled
 “ An Act for the Incorporation of the Prince Edward Island Steam Navigation Com-
 “ pany;” and the said Commissioners shall also be eligible to fill the office of a Director
 “ or Directors of the said Company.”

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

Ordered, That the said amendments be engrossed.

Pursuant to Order, the Bill intituled “ An Act for the Increase of the Revenue of this Island,” was read a second time.

On motion, *Ordered,* that the said Bill be committed to a Committee of the whole House on Monday next.

Read a third time, the Bill intituled “ An Act for the Incorporation of the Steam Navigation Company,” with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

Read a third time, the Bill intituled “ An Act to authorize the appointment of Commissioners to manage certain Shares and Property in the Prince Edward Island Steam-boat Company, on behalf of the Government of this Colony.”

Resolved, That the said Bill, with the amendments, do pass.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “ An Act to establish Criminal Sessions in the several Counties in this Island.” After some time, the House was resumed, and Mr. *Macdonald* reported, that the Committee had made further progress therein, and that he was directed by the Committee to move that they may have leave to sit again.

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

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

A Bill intituled “ An Act to repeal part of an Act made and passed in the Third year of Her present Majesty’s Reign, to authorize the Erection of a Building near Charlotte-town, as an Asylum for Insane Persons, and other objects of Charity, and to provide for the future maintenance of the same, and to substitute other provisions in lieu thereof.”

A Bill intituled “ An Act to create a Fund for defraying the Expense of providing Medical assistance for Sick Emigrants, and of enabling indigent persons of that description to proceed to the place of their destination.”

Read the said Bills a first time.

On motion, the House agreed to the following Address to His Excellency the Lieutenant Governor:

To His Excellency SIR HENRY VERE HUNTLEY, Knight, 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 humbly request that your Excellency will be pleased to order the proper Officer to lay before the Council, copies of the several Bills and Accounts for the payment of any Monies expended by this Government in the support of Pauper Emigrants, since the last Session of the Legislature.

DISSENTIENT.

Because I am of opinion that this House should pursue the Parliamentary course adopted in the British House of Lords, by asking a Member of the Executive Government, if he had any objection to lay the required information before the House, without resorting to the form of addressing His Excellency the Lieutenant Governor, praying for such information.

CHARLES YOUNG.

On motion, Ordered, the said Address be engrossed.

Ordered, That Mr. Macdonald and Mr. Young be a Committee to wait upon His Excellency with the said Address.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to establish Criminal Sessions in the several Counties in this Island." After some time, the House was resumed, and Mr. Macdonald reported, that the Committee had gone through the Bill, and that they had agreed to the same, with several amendments.

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

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

- Folio 3, line 3*—After the word "cognizable," strike out the remainder of the clause, and insert "by such Sessions as are hereinafter described."
- Folio 3, line 11*—Strike out the clause from the word "and," and insert "And be it further enacted, that the said Sessions shall be holden twice in the year, in each County, at the times herein prescribed, that is to say—in Queen's County, on the Third Tuesday in June, and the Second Tuesday of December; and in Prince County, on the last Tuesday in March, and the last Tuesday in September; and in King's County, on the First Tuesday in March, and Second Tuesday in July; and that the duration of such Sessions shall be limited to Five days."
- Folio 8, line 4*—Strike out after the word "be," to the word "heard," in line Seven; and in the same line, strike out the word "by," and insert "before."
- Folio 8, line 9*—After the word "Act," insert "by a Jury as hereinafter mentioned."
- Folio 9, line 2*—After the word "Justices," insert "after verdict of Guilty against any such party accused, and."
- Same folio, line 3*—Strike out from the word "shall," to the word "Act," in the Eighth line, both inclusive.

Folio 10—After the word “Judicature,” in the second line, insert—“And be it further enacted, that
 “Petit Jurors, not exceeding Twenty-four in number, shall be summoned from among
 “the inhabitants of each of the said Counties, to attend the said Sessions of the said Jus-
 “tices, at the times when the same are to be held respectively as aforesaid by the Sheriff
 “or Coroner of the said Counties respectively, at least Six days before the day of appear-
 “ance, on a *venire* to be awarded and issued to the said Sheriff or Coroner, and to be
 “Signed and Sealed by at least Three of the said Justices.”

“And be it further enacted, That any Twelve of the said Jurors after being duly sworn
 “in the same way and manner, and after the same form as is used in the Supreme Court
 “of Judicature of this Island, shall be competent to hear, try and determine such charge
 “of Petit Larceny, and pass a verdict thereon; and the duties of said Jurors shall be the
 “same in every respect as the duties of Petit Jurors in the said Supreme Court in like
 “cases; and such Jurors shall be struck, and be liable to be fined for non-appearance, in
 “the same manner as is at present regulated and imposed by any Statute or Statutes
 “of this Island, or as shall be regulated by any Statute or Statutes of the said Island
 “hereafter to be passed.”

“And be it further enacted, that the said Justices, or the major part of them present at
 “any such Sessions so to be held as aforesaid, shall have power to estreat any Recogni-
 “zance or Recognizances forfeited by reason of the non-attendance of any prosecutor or
 “prosecutors, party or parties, witness or witnesses, duly bound to appear at and attend
 “at such Sessions, and shall have power, after declaring any estreat of any such recogni-
 “zance as aforesaid, to issue a Warrant or Warrants of Distress, directed to the Sheriff
 “of the County where said Sessions shall be held, against the Goods and Chattels of every
 “such person or persons as aforesaid, and his and their Sureties, at the suit, and in the
 “name of Her Majesty, for the recovery of any sum in which the said person or persons,
 “his and their sureties shall be bound in any such recognizance or recognizances as afore-
 “said, together with the costs of such estreat, and for the issue of such Warrant of Dis-
 “tress; and the amount when levied and recovered by the Sheriff to whom the same is
 “directed, shall be paid over to the Clerk of the said Justices in Session; and the amount
 “of the sum forfeited by any such recognizance or recognizances, shall be by him paid
 “over to the Treasurer of this Island, to and for the use of Her Majesty.”

“And be it further enacted, That the said Sheriff shall be entitled to similar fees for
 “travel and for levying, recovering and paying over any moneys under the said Warrant of
 “Distress, as Sheriffs now are entitled unto for levying Executions issuing out of the
 “Supreme Court of Judicature of this Island—the said fees to be by him levied for and
 “recovered from the person or persons against whom the said Warrant shall be issued as
 “aforesaid.”

Folio 19, line 15—After the word “thereof,” insert “Provided always, that such copy as aforesaid be
 “verified on the Oath of the Clerk of such Sessions.

Folio 21, line 1—Strike out after the word “conviction,” to the word “such,” and insert the words
 “ordered at such Sessions.”

Folio 27, line 8—Insert “and for the issue of every Warrant of Distress, One Shilling.”

Folio 28, line 14—After the word “Act,” insert the following—“And be it further enacted, that if
 “any cause cannot be tried when called on in the said Sessions for default of Jurors, the
 “said Justices shall have authority to command the Sheriff to summon so many other
 “proper persons—not being liable more than once in a year—to attend forthwith, as will
 “make up a full Jury for the trial of such cause.”

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

Ordered, that the said amendments be engrossed, and that the said Bill, with the
 amendments, be read a third time on Monday next.

Adjourned until One o'clock on Monday next.

MONDAY, 11th April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. <i>Attorney General</i> , President;	
The Hon. Mr. <i>Brecken</i> ,	The Hon. Mr. <i>Dalrymple</i> ,
Mr. <i>Worrell</i> ,	Mr. <i>Holl</i> ,
Mr. <i>Macdonald</i> ,	Mr. <i>Young</i> ,
Mr. <i>Macintosh</i> ,	Mr. <i>Swabey</i> .

PRAYERS.

READ the proceedings of Saturday.

Mr. *Swabey*, by leave, presented a Petition from certain Farmers, and other residents of Queen's County, interested in the Agricultural prosperity of this Island, praying that this House will withhold its assent to the Bill lately passed by the House of Assembly, for imposing a Tax on Spirituous Liquors manufactured within the Island.

Resolved, That the said Petition be not received, as being contrary to the practice of Parliament for this House to receive any Petition against Bills depending, for the imposition of any Tax, for the service of the current year.

According to Order, the House was called.

PRESENT:

The Hon. <i>The President</i> ,	The Hon. Mr. <i>Dalrymple</i> ,
Mr. <i>Brecken</i> ,	Mr. <i>Holl</i> ,
Mr. <i>Worrell</i> ,	Mr. <i>Young</i> ,
Mr. <i>Macdonald</i> ,	Mr. <i>Swabey</i> .
Mr. <i>Macintosh</i> ,	

ABSENT:

Mr. *Macnutt*.

The Order of the Day for the second reading of the Bill intituled "An Act to provide for the payment of an Agent in Great Britain, for the House of Assembly," being read—

On motion, that the Order of the Day be discharged, and that the said Bill be read a second time this day six months, the House divided:

CONTENTS.

The President,
Mr. Brecken,
Mr. Worrell,
Mr. Macdonald,
Mr. Macintosh,
Mr. Dalrymple,
Mr. Holl,
Mr. Swabey.

NON-CONTENT.

Mr. Young.

And it passed in the affirmative.

DISSENTIENT.

Because that although I could not agree to the Bill intituled "An Act to provide for the payment of an Agent in Great Britain, for the House of Assembly of this Island," in its present shape, yet I am of opinion, that it might be so amended, as would answer the purpose for which it has been passed, and sent up by the House of Assembly. I never would recognize the principle, that any component part of the Legislature should appoint an Agent solely for itself; but I think that if an Agent were appointed jointly by the Legislative Council and House of Assembly, to represent the views and wishes of this Legislature, either in the Imperial Parliament, or elsewhere, in London, that it might tend greatly to effect a settlement of those questions which unfortunately agitate the minds of the loyal inhabitants of this Colony. For I am sincerely of opinion that if the British Government knew exactly the resources and state of this Colony, the extraordinary nature of the tenure of lands that herein prevail—the difficulties that Emigrants, and the inhabitants in various parts of the country encounter, in clearing the forest, and in effecting a permanent settlement, so as to enjoy the benefits of their own labour—the manner in which they are oppressed for Rent by a Proprietary monopoly—if all these things were properly represented to the Home Government, by an influential Agent, that that Government would be disposed to adopt such constitutional measures, as would effectually settle and determine those harassed questions that now exist between the Tenantry and their Landlords, and which would fulfil "Her Most Gracious Majesty's earnest desire"—to embody the sentiments expressed in a Despatch of my Lord John Russell, dated September 22d, 1840, to His Excellency Sir Charles A. Fitz Roy, our late Lieutenant Governor—"in removing every just cause of complaint" in this Colony, being happily a part of Her Majesty's Dominions.

CHARLES YOUNG.

On motion, Ordered, that the Order of the Day for the second reading of the Bill intituled "An Act to authorize the Treasurer of this Island to pay off Treasury Warrants, to the amount of Four thousand Pounds, out of the Land Assessment Moneys now in the Treasury," be postponed until Wednesday next.

Pursuant to Order, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act for the Increase of the Revenue of this Island." After some time, the House was resumed, and Mr. Young reported, that the Committee had gone through the Bill, and that they had agreed to the same.

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

Mr. Macdonald, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address, praying that His Excellency will be pleased to order the proper Officer to lay before this House, copies of Accounts of any Moneys expended during the past year, towards the support of Sick Emigrants, reported that they had waited on His Excellency, who was pleased to say that he would attend to the request of the House.

On motion, that the Bill intituled "An Act for imposing a Duty on all Spirituous Liquors, Manufactured, Extracted or Distilled within this Island," be read a second time.

It was moved as an amendment, that the said Bill be read a second time this day six months.

The House divided on the amendment.

CONTENTS.

Mr. Macdonald,
Mr. Macintosh,
Mr. Dalrymple,
Mr. Holl,
Mr. Swabey.

NON-CONTENTS.

The President,
Mr. Brecken,
Mr. Young,
Mr. Worrell.

And it passed in the affirmative.

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

A Bill intituled “ An Act to prevent the taking and carrying away of Boats, Canoes or Flats without the consent of the Owners thereof; and to repeal an Act formerly passed for that purpose.”

A Bill intituled “ An Act for the Incorporation of the Prince Edward Island Steam Navigation Company.”

A Bill intituled “ An Act to authorize the appointment of Commissioners to manage certain Shares and Property in the Prince Edward Island Steamboat Company, on behalf of the Government of this Colony.”

A Message from the House of Assembly, by the Hon. Mr. Pope, with a Bill intituled “ An Act to authorize the appointment of Commissioners to superintend the Erection of a Colonial Building in Charlottetown, and to repeal certain parts of an Act therein mentioned,” to which they desire the concurrence of the Legislative Council.

Read the said Bill a first time.

On motion, Ordered, that the said Bill be read a second time to-morrow, and that the Members of the House be summoned.

On motion, that the Bill intituled “ An Act for the Destruction of Ox Eye Daisies,” be read a second time, it was moved, as an amendment, that the said Bill be read a second time this day six months.

The House divided on the amendment:

CONTENTS.

The President,
Mr. Brecken,
Mr. Worrell,
Mr. Dalrymple.

NON-CONTENTS.

Mr. Macdonald,
Mr. Macintosh,
Mr. Holl,
Mr. Young,
Mr. Swabey.

And it passed in the negative.

The question being put on the original motion, the House divided:

And it passed in the affirmative.

The Bill was accordingly read a second time.

Adjourned until Eleven o'clock to-morrow.

TUESDAY, 12th, April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

The Hon. Mr. *Macnutt*,

Mr. *Worrell*,

Mr. *Holl*,

Mr. *Macdonald*,

Mr. *Young*,

Mr. *Macintosh*,

Mr. *Swabey*.

Mr. *Dalrymple*,

PRAYERS.

READ the proceedings of yesterday.

On motion, that the following be added to the Standing Orders of this House, viz:— That each day after the Journal shall be read, the Clerk shall call over the names of Members, and if any Member shall be absent without leave of the House, the absence of such Member, without leave, shall be entered upon the Journal of this House accordingly.

Resolved, That in accordance with the Standing Order of this House, the Members of this House in town, be summoned for to-morrow, that the propriety of such proposed Order, as a Standing Order of this House, be then considered.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act to alter and amend the Act for the establishment of an Academy in Charlottetown." After some time, the House was resumed.

The *President*, by direction of His Excellency the Lieutenant Governor, laid before the House, an Account of Moneys expended towards the relief of Sick Emigrants, during the past year, as requested by this House.

Read a third time, the Bill intituled "An Act to establish Criminal Sessions in the several Counties in this Island," with the amendments.

Resolved, That the said Bill, with the amendments, do pass.

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

Pursuant to Order, the Bill intituled "An Act to authorize the appointment of Commissioners to superintend the Erection of a Colonial Building in Charlottetown, and to repeal a certain part of an Act therein mentioned," was read a second time.

Read a second time, the Bill intituled "An Act to repeal part of an Act made and passed in the Third year of Her present Majesty's Reign, to authorize the Erection of a Building near Charlottetown, as an Asylum for Insane Persons, and other objects of Charity, and to provide for the future maintenance of the same, and to substitute other provisions in lieu thereof."

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

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

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

Resolved, That the said Bill do pass.

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

Read a second time, the Bill intituled "An Act for appropriating certain Moneys therein mentioned, for the Service of the Year of Our Lord One thousand eight hundred and forty-two."

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

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

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act for the Destruction of Ox Eye Daisies." After some time, the House was resumed, and Mr. *Young* reported, that the Committee had gone through the Bill, and they recommend that the further consideration of the same be postponed for three months.

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

Resolved, That the further consideration of the said Bill be postponed for three months
Adjourned until Eleven o'clock to-morrow.

WEDNESDAY, 13th April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. Mr. *Brecken*,

Mr. *Worrell*,

Mr. *Macdonald*,

Mr. *Dalrymple*,

The Hon. Mr. *Macnutt*,

Mr. *Holl*,

Mr. *Young*,

Mr. *Swabey*.

PRAYERS.

READ the proceedings of yesterday.

The *President* informed the House, that Indisposition prevents Mr. *Macintosh* from attending in his place.

Ordered, That Mr. *Macintosh's* excuse be received.

On motion, Ordered, that a further Conference be desired with the House of Assembly on the amendments made to the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned."

Ordered, That the same Committee who managed the former Conference, be a Committee to manage this further Conference, to meet in the Committee Room at half past Four o'clock this afternoon.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act to authorize the appointment of Commissioners to superintend the Erection of a Colonial Building in Charlottetown, and to repeal certain parts of an Act therein mentioned." After some time, the House was resumed, and Mr. *Young* reported, that the Committee had gone through the Bill, and that they had agreed to the same.

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

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

Resolved, That the said Bill do pass.

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

On motion, that the Bill intituled "An Act to create a Fund for defraying the Expense of providing Medical assistance for Sick Emigrants, and of enabling indigent persons of that description to proceed to the place of their destination," be read a second time; it was moved, as an amendment, that the said Bill be read a second time this day six months.

The House divided on the amendment.

CONTENTS.

Mr. Macdonald,
Mr. Dalrymple.

NON-CONTENTS.

The President,
Mr. Brecken,
Mr. Worrell,
Mr. Macnutt,
Mr. Holl,
Mr. Young,
Mr. Swabey.

And it passed in the negative.

The question being put on the original motion, the House divided:

And it passed in the affirmative.

The Bill was accordingly read a second time.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed, and Mr. *Holl* reported, that the Committee had made some progress therein, and they recommend that a Conference be desired with the House of Assembly, on the subject matter thereof; and further, that he was directed by the Committee to move that they may have leave to sit again.

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

Ordered, That Mr. *Brecken* and Mr. *Young* be a Committee to manage the said Conference, to meet in the Committee Room instanter.

Pursuant to Order, the Bill intituled "An Act to authorize the Treasurer of this Island to pay off Treasury Warrants, to the amount of Four Thousand Pounds, out of the Land Assessment Moneys now in the Treasury," was read a second time.

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

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

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

Resolved, That the said Bill do pass.

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

Mr. *Swabey* presented the following draft of an Address to Her Majesty, which he read in his place, and was afterwards read by the Clerk, and is as follows:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY;

We Your Majesty's dutiful and loyal subjects, the Members of the Legislative Council of Prince Edward Island, in General Assembly convened, beg to lay at the Foot of the Throne, our humble Petition, that you will cause, by Your Royal Authority, the Port of Charlottetown, in this Island, to be declared a Free Warehousing Port.

We believe that there are few or no Colonies under Your Majesty's Dominions, to whom the enjoyment of this privilege has not been long ago extended; and in the case of Charlottetown, which is the Capital of the Island Prince Edward, we feel assured, that the want of this privilege obliges your Majesty's subjects of this Island, instead of trading direct with those Countries, with whom it would be profitable to exchange commodities, to apply to Halifax, and other places having Bonding Warehouses, for the supply of their necessities, the effect of which, on your Majesty's said subjects, is, that in addition to the price of the article as imported direct, they have to pay the profit of the Merchant who conducts the transit or *entrepot* trade; whereas, the granting by your Majesty of our humble Petition, would induce a direct trade to very great advantage, inasmuch as it would not only lessen the prices of imported articles to the consumer, but would open a new market for our Agricultural Produce, of which we stand in great need.

On motion, the said Address was agreed to, and ordered to be engrossed.

On motion, the following Address to His Excellency the Lieutenant Governor, was agreed to, and ordered to be engrossed.

To His Excellency SIR HENRY VERE HUNTLEY, Knight, 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 having agreed to an Address to the Queen, to confer upon Charlottetown the privilege of a Free Warehousing Port, request that your Excellency will be pleased to forward the same, for the purpose of being laid at the Foot of the Throne; and also, that Your Excellency will be pleased to recommend its prayer to the favourable consideration of Her Majesty.

Ordered, That Mr. *Holl* and Mr. *Swabey* be a Committee to wait upon His Excellency with the said Address.

Mr. *Young*, from the Committee appointed to prepare Reasons to be offered to the House of Assembly, at a Conference, for insisting on the Amendments made by this House to the Bill intituled "An Act further to amend the several Acts therein mentioned, relating to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases," presented to the House the Report of said Committee, which, on motion, was agreed to, and the same was read, and is as follows:—

Because the evil which the Act of 26th Geo. 3d, cap. 15, was passed to remedy, cannot by any possibility grow up to any extent under the present practice in this Colony, of continuing the same person from year to year as Sheriff, the office of Provost Marshal was a Patent office, held under the Crown; and if an Officer became "extortionate or oppressive" in his office, great difficulty might arise in procuring the removal of such an officer; whereas under the present system, the appointment of Sheriffs being virtually an annual appointment, in the event of any Sheriff becoming "extortionate or oppressive," it is in the power of the Executive to refrain from re-appointing him, or even to supersede him at any time during the year of his Shrievalty.

Because, until the local circumstances of this Colony shall more nearly assimilate to the circumstances of the Mother country, the rules prohibiting the appointment of the Sheriffs for consecutive years in force there, cannot be carried out beneficially for the public interests in this Colony; and the adoption of the practice in the neighbouring Colonies of New Brunswick and Nova Scotia, in continuing the same Sheriff in office during good behaviour for several years, seems well adapted to procure and retain the services of persons as Sheriffs, qualified from character, education, and practical experience to fulfil the duties of their office.

Because the Legislative Council cannot conceive that the practice of continuing the same person as Sheriff from year to year, has a direct, or any tendency to expose the Colony to the same evils, as stated likely to flow from the office of Provost Marshal, for the reasons hereinbefore first mentioned; neither can the Council conceive how such practice can be used in a great, or in any measure, to defeat the freedom of Elections, any more than if the Sheriff was annually changed, as it appears to the Council that the Laws regulating Elections, in force in this Colony, are sufficiently stringent to guard against the possibility of any such undue or improper interference by any Sheriff at any Election; but if the Assembly should be of opinion that the Election Laws require amendment or alteration, with a view to this particular point, the Council will be willing to give due weight to any measure that may emanate from the Assembly, to prevent the possibility of any such occurrence.

On motion, Ordered, that a further Conference be desired with the House of Assembly on the amendments made to the Bill intituled "An Act further to amend the several Acts therein mentioned, relating to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases."

Ordered, That the same Committee who managed the former Conference, be a Committee to manage this further Conference, to meet in the Committee Room to-morrow, at One o'clock; and that upon such Conference, the Committee of this House be directed to communicate to the Committee of the House of Assembly, the reasons of this House, as above reported, for insisting on their said amendments.

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

Mr. President,

The House of Assembly do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled "An Act to create a Fund for defraying the Expense of providing Medical assistance for Sick Emigrants, and of enabling indigent persons of that description to proceed to the place of their destination;" and have appointed the Hon. Mr. Pope, Mr. Clark, Mr. Longworth, and the Hon. J. S. Macdonald, a Committee to manage the said Conference.

And also,

Mr. President,

The House of Assembly do agree to a further Conference, as is desired by the Legislative Council, on the amendments made to the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned;" and have appointed the same Committee who managed the former Conference, a Committee to manage this further Conference.

The time appointed for holding the Conference with the House of Assembly, on the Bill intituled "An Act to create a Fund for defraying the Expense of providing Medical assistance for Sick Emigrants, and of enabling indigent persons of that description to proceed to the place of their destination," having arrived, the managers went to the Conference, and being returned, reported that they had complied with the instructions given them by this House.

The time appointed for holding the further Conference with the House of Assembly on the amendments made to the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned," having arrived, the Managers went to the Conference, and being returned, reported that they had complied with the instructions given them by this House.

Adjourned until Twelve o'clock to-morrow.

THURSDAY, 14th April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. Attorney General, President;

The Hon. Mr. Brecken,

Mr. Worrell,

Mr. Macdonald,

Mr. Macintosh,

Mr. Dalrymple,

The Hon. Mr. Macnutt,

Mr. Holl,

Mr. Young,

Mr. Swabey.

PRAYERS.

READ the proceedings of yesterday.

A Message from the House of Assembly, by Mr. D. Macdonald.

Mr. President,

The House of Assembly do agree to a further Conference, as is desired by the Legislative Council on the amendments made to the Bill intituled "An Act to further amend the several Acts therein mentioned, relating to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases," and have appointed the same Committee who managed the last Conference, a Committee to manage this further Conference.

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

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

Mr. President,

The House of Assembly desire a further Conference with the Legislative Council on the Bill intituled "An Act to create a Fund for defraying the Expense of providing Medical assistance for Sick Emigrants, and of enabling Indigent persons of that description to proceed to the place of their destination;" and have appointed the same Committee who managed the former Conference, a Committee to manage this further Conference.

On motion, Ordered, that a further Conference be agreed to, as is desired by the House of Assembly.

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

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

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

Mr. *Swabey*, 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 Address of both Houses to Her Majesty, relative to the Moneys arising from the Sale of the School Lands, reported, that they had waited on His Excellency, who was pleased to say, that he would forward the said Address, as requested by both Houses.

Mr. *Swabey*, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address requesting His Excellency would be pleased to forward the Address of this House to Her Majesty, relative to the constituting the Port of Charlottetown a Free Warehousing Port, reported, that they had waited on His Excellency, who was pleased to say, that he would attend to the request of the House.

A Message from the House of Assembly, by Mr. D. Macdonald.

Mr. President,

The House of Assembly desire a free Conference with the Legislative Council, on the amendments made to the Bill intituled "An Act further to amend the several Acts therein mentioned, relating to the appointment of Sheriffs; and to regulate the Fees to be taken by them in certain," and have appointed the same Committee who managed the former Conference, a Committee to manage this free Conference.

On motion, Ordered, that a free Conference be agreed to, as is desired by the House of Assembly.

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

And the names of the Managers being called over, they went to the Conference, and being returned, reported, that they had met the Managers on the part of the House of Assembly, who had acquainted them that the House of Assembly had disagreed to the amendments made by this House to the Bill intituled "An Act to further amend the several Acts therein mentioned, relating to the appointment of Sheriffs, and to regulate the Fees to be taken by them in certain cases."

On motion, Ordered, that a further free Conference be desired with the House of Assembly on the subject matter of the last free Conference.

Ordered, That the same Committee who managed the last free Conference, be a Committee to manage this further free Conference, to meet in the Committee Room instanter; and that upon such Conference, the Committee of this House be instructed to state to the Committee of the House of Assembly, that this House do insist on their amendments to the said Bill.

A Message from the House of Assembly, by Mr. D. Macdonald.

Mr. President,

The House of Assembly do agree to a further free Conference, as is desired by the Legislative Council, on the subject matter of the last free Conference, and have appointed the same Committee who managed the last free Conference, a Committee to manage this further free Conference.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for appropriating certain Monies therein mentioned, for the service of the Year of Our Lord One thousand eight hundred and forty-two." After some time, the House was resumed, and Mr. *Holl* reported, that the Committee had gone through the Bill, and they recommend that a Conference be desired with the House of Assembly, on the subject matter thereof.

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

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

Pursuant to an Order of this House of the 12th instant, the House was called:

PRESENT:

The Hon. *The President*,
Mr. Brecken,
Mr. Worrell,
Mr. Macdonald,
Mr. Macintosh,

The Hon. *Mr. Dalrymple*,
Mr. Macnutt
Mr. Holl,
Mr. Young,
Mr. Swabey.

On motion, that the following be added to the Standing Orders of this House, the House divided:—

CONTENTS.

The President,
Mr. Holl.

NON-CONTENTS.

Mr. Brecken,
Mr. Young,
Mr. Macdonald,
Mr. Macintosh,
Mr. Macnutt,
Mr. Dalrymple,
Mr. Swabey,
Mr. Worrell.

And it passed in the negative.

On motion, Ordered, that this House do not insist on the Third amendment made by them to the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned."

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

Mr. President,

The House of Assembly do agree to a Conference, as is desired by the Legislative Council, on the Bill intituled "An Act for appropriating certain Moneys therein mentioned, for the Service of the Year of Our Lord One thousand eight hundred and forty-two," and have appointed the Hon. Mr. Pope, Mr. Montgomery, Mr. Clark, Mr. D. Macdonald, the Hon. J. S. Macdonald, and Mr. Longworth, a Committee to manage the said Conference.

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

Adjourned until Twelve o'clock to-morrow.

FRIDAY, 15th April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. *Mr. Brecken,*

The Hon. *Mr. Dalrymple,*

Mr. Worrell,

Mr. Holl,

Mr. Macdonald,

Mr. Young,

Mr. Macintosh,

Mr. Swabey.

PRAYERS.

READ the proceedings of yesterday.

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

Mr. President,

The House of Assembly desire a further Conference with the Legislative Council, on the Bill intituled "An Act for appropriating certain Moneys therein mentioned, for the service of the Year of Our Lord One thousand eight hundred and forty-two," and have appointed the same Committee who managed the former Conference, a Committee to manage this further Conference.

On motion, Ordered, that a further Conference be agreed to, as is desired by the House of Assembly.

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

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

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

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

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

Mr. President,

The House of Assembly desire a further Conference with the Legislative Council, on the amendments made to the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned," and have appointed the same Committee who managed the former Conference, a Committee to manage this further Conference.

On motion, Ordered, that a further Conference be agreed to, as is desired by the House of Assembly.

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

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

Read a third time, the Bill intituled "An Act for the Increase of the Revenue of this Island."

Resolved, That the said Bill do pass.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled "An Act for appropriating certain Moneys therein mentioned, for the Service of the Year of Our Lord One thousand eight hundred and

forty-two. After some time, the House was resumed, and Mr. *Holl* reported, that the Committee had gone through the Bill, and that they had agreed to the same.

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

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

Resolved, That the said Bill do pass.

By leave of the House, the following Resolution was inserted on the Journals, as expressing the reasons of the Members who have signed the same, for giving their assent to the said Bill:—

WHEREAS a Resolution was entered on the Journals of this House, for the Session of 1841, wherein the undersigned expressed their strong disapprobation of the appropriation of large sums of Money by Members of the House of Assembly, for the purpose of remunerating themselves for their services during the Session; and further stated, their determination to resist so unnecessarily large an expenditure of the Public Money for the future: And whereas it might be considered unfair to deprive the Members of the present House of the remuneration to which they conceived themselves entitled upon taking their seats, they have resolved to withdraw their opposition in the present instance, with, however, the full intention of acting in strict accordance with the spirit of the said Resolution on the occasion of a new House of Assembly being called together.

CHARLES WORRELL,
DONALD MACDONLD,
WILLIAM MACINTOSH,
P. S. MACNUTT,
JOHN M. HOLL.

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

Adjourned until Eleven o'clock to-morrow.

SATURDAY, 16th April, 1842.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Mr. *Attorney General*, President;

The Hon. *Mr. Brecken*,

Mr. Worrell,

Mr. Macdonald,

Mr. Macintosh,

The Hon. *Mr. Dalrymple*,

Mr. Holl,

Mr. Young,

Mr. Swabey.

PRAYERS.

READ the proceedings of yesterday.

On motion, the following Resolution was agreed to:—

WHEREAS in a Petition from the House of Assembly of this Island, adopted in this present Session, and which is to be presented to the House of Commons of Great Britain, it is stated that this House entertains different views as to the intent and meaning of certain reservations in the original grant of Land to the Grantees of the Crown, which reservations concern Fishery Reserves; and likewise different views as to the intent and meaning of certain Despatches received from the Queen's Ministers, on the subject

of Fishery Reserves; and in the said Petition the Legislative Council are further represented as having been unable to agree with the House of Assembly in some principal sections of the Bill respecting Fishery Reserves, which passed the House of Assembly, "though repeated Conferences and communications have been held between the two bodies during the three previous Sessions."

RESOLVED, That after a search of the Journals of both Houses for the years 1839, 1840, and 1841, it appears to this House that no Conference has been at any time held or asked for, between the two Houses, on the subject of the Fishery Reserves. Therefore, Resolved, that the allegations of the said Petition, as they respect the proceedings of this House, are entirely without foundation.

And whereas, in the Sessions of 1839, 1840, and 1841, as well as in the present, Bills respecting Fishery Reserves have been sent to this House for its concurrence, from the House of Assembly, containing several provisions in themselves, deemed by this House to be inequitable: And whereas the amendments made by this House, have been repeatedly rejected by the House of Assembly; and the Bills which have been sent to this House for its concurrence, have reiterated the same provisions upon each occasion. Resolved, that this House, consistently with its duty, has been hitherto unable to Legislate on this subject, although they fully recognize, and are prepared to protect the rights of Fishermen to exercise their trade on the Fishery Reserves of this Island.

Resolved, That a copy of the foregoing Resolution be communicated to His Excellency the Lieutenant Governor.

Resolved, That a Committee be appointed to wait on His Excellency with the foregoing Resolution.

Ordered, That Mr. *Holl* and Mr. *Swabey* be a Committee for that purpose.

On motion, the following Resolutions were agreed to:—

RESOLVED, That a Committee be appointed to correspond during the recess of this House with Her Majesty's Principal Secretary of State for the Colonies, through His Excellency the Lieutenant Governor, in order that Her Majesty's Government may be truly informed of the state of the public affairs of this Colony, and the character of this House vindicated from the misrepresentations of the House of Assembly—said Committee to have power of access to the Records and Papers of this House, and to report their proceedings to this House in its next Session.

RESOLVED, That the same Committee be further authorized to communicate with the Imperial Parliament, or any member or members thereof, on the same subjects.

Ordered, That Mr. *Macdonald*, Mr. *Holl*, and Mr. *Dalrymple* be a Committee pursuant to the above Resolutions.

Read a third time, and passed, the Bill intituled "An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned."

Resolved, That the said Bill do pass.

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

Read a third time, the Bill intituled "An Act to create a Fund for defraying the Expense of providing Medical assistance for Sick Emigrants, and of enabling indigent persons of that description to proceed to the place of their destination."

Resolved, That the said Bill do pass.

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

Read a third time, the Bill intituled "An Act to repeal and amend a certain portion of the Nineteenth section of an Act relating to Schools, and for the Encouragement of Education."

The House took into consideration the Incidental Expences of the present Session, and allowed the same as follows, viz:—

The Rev. L. C. Jenkins, Chaplain to this House,	- - -	£40 0 0
Clerk of Legislative Council, including his Account for Stationary,		169 15 8
George Wright, Esq., Usher of the Black Rod, and Sergeant at Arms,		
71 days, at 10s. per diem,	- - - - -	35 10 0
John Rider, Messenger, including his Account for sundry disbursements,		
74 days, at 7s. 6d. per diem,	- - - - -	59 14 11
Patrick Furlong, Doorkeeper, 75 days, at 7s. 6d.		28 2 6

Ordered, That the Deputy Clerk of this House be directed to prepare an Index to the Journals, and that he be allowed the sum of £7 10s. for preparing the same.

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

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

An Act to consolidate, amend, and reduce into one Act, the several Acts, and parts of Acts, relating to the Qualification and mode of Summoning Grand and Petit Jurors.

An Act further to explain and amend an Act passed in the Third year of the Reign of His late Majesty King William the Fourth, 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."

An Act to amend an Act passed in the Sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to amend the Law relating to the admission of Barristers, Attorneys and Solicitors; and to regulate the admission of Advocates and Proctors in the Courts of Vice Admiralty and Court of Probate in this Island."

An Act to continue an Act intituled "An Act to regulate the Floating of Logs, Scantling, Deals and other kinds of Wood, down the Rivers and lesser Streams in this Island.

An Act to amend an Act for the appointment of Fish Inspectors, and to continue and extend the provisions of the Act now in force, regulating the size and quality of Fish Barrels and Tierces, and the Weight of Fish made up therein.

An Act to alter, and in addition to an Act made and passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, relating to the laying out and altering of Highways, and for other purposes therein mentioned.

An Act to amend the Act now in force relating to Apprentices, and to repeal a certain Act therein mentioned.

An Act to explain certain parts of an Act to consolidate and amend the Election Laws.

An Act to amend an Act made and passed in the Third year of the Reign of Her present Majesty, intituled "An Act to prohibit the Exportation of Oysters from this Island, for a limited period."

An Act to prevent the taking and carrying away of Boats, Canoes or Flats, without the consent of the Owners thereof, and to repeal an Act formerly passed for that purpose.

An Act to authorize the appointment of Coal Meters, where deemed necessary.

An Act for the Incorporation of the Prince Edward Island Steam Navigation Company.

An Act to authorize the appointment of Commissioners to manage certain Shares and Property in the Prince Edward Island Steam Boat Company, on behalf of the Government of this Colony.

An Act to repeal and amend a certain portion of the Nineteenth section of an Act relating to Schools, and for the Encouragement of Education.

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

May it please your Excellency;

The House of Assembly have voted the supplies necessary for the public Service, and for the erection of a Province Building, and have made provision for the maintenance of an Asylum for Insane persons, and other objects of Charity, and have also granted a sum to enable this Colony to participate in the benefits of Steam Navigation. Those necessary grants will, no doubt, trench upon the disposable resources of the Colony, and the House of Assembly, to uphold public credit, granted a duty of Eight Pence per gallon upon Spirits Distilled in this Island; but I regret to inform your Excellency, this was intercepted by the Council. I beg to present to your Excellency the following Bills:—

An Act to amend the Acts now in force relating to a Fire Engine Company, and accidents by Fire within Charlottetown.

An Act to consolidate and amend the two several Acts now in force relative to Accidents by Fire, and the Improvement of Property in Georgetown.

An Act to regulate the Letting of Stalls in Charlottetown Market House, and for other purposes therein mentioned.

An Act to authorize the Issue of a Copper Coinage in this Colony, and to prohibit the circulation of Base Coppers.

An Act to amend and continue for a limited period the Act intituled “An Act for the regulation of the Public Wharf of Charlottetown.”

An Act to create a Fund for defraying the Expense of providing Medical assistance for Sick Emigrants, and of enabling Indigent persons of that description to proceed to the place of their destination.

An Act to repeal part of an Act made and passed in the Third year of Her present Majesty's Reign, to authorize the erection of a Building near Charlottetown, as an Asy-

lum for Insane persons, and other objects of Charity, and to provide for the future maintenance of the same, and to substitute other provisions in lieu thereof.

An Act to authorize the appointment of Commissioners to superintend the Erection of a Colonial Building in Charlottetown, and to repeal certain parts of an Act therein mentioned.

An Act to authorize the Treasurer of this Island to pay off Treasury Warrants to the amount of Four Thousand Pounds, out of the Land Assessment Moneys now in the Treasury.

An Act for the Increase of the Revenue of this Island.

An Act for appropriating certain Moneys therein mentioned, for the Service of the Year of Our Lord One thousand eight hundred and forty-two.

To each of which His Excellency was pleased, in Her Majesty's name, to signify 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;

The business of the Session having terminated, I take the earliest moment to relieve you from your attendance here; and I avail myself of this opportunity of expressing my best acknowledgments for the great consideration which you have given to my several suggestions, offered upon my first meeting you.

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

In thanking you for the Supplies which you have voted for the purposes of Her Majesty's Government in this Colony, I must especially notice the liberality with which you have also voted large sums respectively for the erection of Public Offices, a Lunatic Asylum, and towards the permanent establishment of a Steam Boat, for the use of this Island. This display of your feeling will contribute to the stability of our relations generally, because, in the face of a decreased Revenue, your knowledge of the resources and confidence in the advancing prosperity of the Colony justifies your expenditure.

It was my sincere wish, and I will add, expectation, to have concluded my observations upon the proceedings of the Session with expressions of thankfulness and approbation only; but by the Resolutions passed in your House on the 12th inst., and by the Addresses founded thereon, I am imperatively called upon to remark, that after the decided manner in which Her Majesty's Government have spoken upon the subject involved in those Resolutions, it is impossible to imagine that your adoption of them can be otherwise than injurious to this Colony. I feel however confident that the Population of this Island will not disregard their true interests, for the visionary propositions and disquietude contained in the question of Escheat.

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

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

Previously to your separation I would express my regret that you have not been able to agree to any measure tending towards the better management of the Central Academy, an Institution which ought to have, in conjunction with other Scholastic Establishments, an important influence upon Society throughout the Colony.

After which, the **P**resident of the Council said—

It is the will and pleasure of **H**is Excellency the **L**ieutenant Governor, that this **G**eneral Assembly be prorogued until **W**ednesday, the **S**ixth day of **J**uly next; and this **G**eneral Assembly is accordingly prorogued until **W**ednesday the **S**ixth day of **J**uly next.

END OF THE FIFTH SESSION.

APPENDIX

TO THE

JOURNAL

OF

THE LEGISLATIVE COUNCIL

OF

Prince Edward Island.

FOR THE SESSION COMMENCING THE TWENTY-FIFTH DAY OF JANUARY,
AND ENDING THE SIXTEENTH DAY OF APRIL,

1842.

CONFIDENTIAL

APPENDIX.

(SEE PAGE No. 8.)

[1]

No. 54.

[COPY.]

Downing Street, June 17th, 1841.

SIR,

I have the honor to acknowledge the receipt of your Despatch of the 4th ultimo, transmitting an Address to the Queen, from the Legislative Council of Prince Edward Island, praying Her Majesty to order a negotiation to be entered into with the Proprietors of Lands in the Colony, for the purchase, by the Crown, of their Lands, together with copies of Resolutions passed by the Council on the subject.

In reply, I have to state, that I have laid before the Queen the Address from the Legislative Council, and that I have received Her Majesty's commands to instruct you to acquaint the Legislative Council, that there is no fund at Her Majesty's disposal which it would be possible to appropriate to the purpose of purchasing the interest of the persons now claiming under the original Grantees of the Lands of the Crown in Prince Edward Island.

It will be of no use therefore to continue or revive this discussion.

I have the honor to be, Sir, &c. &c.

(Signed)

J. RUSSELL.

Sir Charles A. Fitz Roy, &c. &c. &c.

(SEE PAGE No. 13.)

[2]

No. 57.

[COPY.]

Downing Street, 25th June, 1841.

SIR,

I have to acknowledge the receipt of your Despatch of the 5th May last. I have to acquaint you, in answer, that Her Majesty's Government having reviewed the whole progress of the discussion regarding the tenure of Land, have arrived at the following conclusions:—

FIRST.—That the original terms of settlement were impracticable, and that any Escheat at the present day, on the ground of the failure to fulfil such conditions, would be unjust.

SECONDLY.—That Her Majesty's Government consider it right to state that the Crown has not at its disposal, any funds out of which the lands could be purchased by the Crown, to be afterwards sold or granted to the tenants.

THIRDLY.—That the terms proposed by Mr. G. R. Young, or terms equivalent to those, seem to have been acceded to by the great majority of Proprietors.

FOURTHLY.—That under these circumstances, the best course which Her Majesty can recommend is, that the Assembly and Council should turn their attention to the improvement of the resources, and the encouragement of the growing wealth of Prince Edward Island, and leave to the gradual operation of time, the settlement of a question which offers no sound footing for direct legislation.

LASTLY.—I have to state, that Her Majesty is not disposed to blame any party for the mode in which this discussion has been prosecuted; but Her Majesty's anxiety for the welfare of the Province makes her desirous to see the termination of a fruitless and irritating contest.

I have the honor to be, Sir, &c. &c. &c.

(Signed)

J. RUSSELL.

Lieutenant Governor Sir C. A. Fitz Roy, &c. &c. &c.

APPENDIX.

[3]

No. 58.

[COPY.]

Downing Street, 28th June, 1841.

Sir,

I have to acknowledge the receipt of your two Despatches, Numbers 13 and 14, of the 3d and 4th of May, the former containing your Report upon the proceedings of the last Session of the Legislature of Prince Edward Island, and the latter enclosing a series of Resolutions of the House of Assembly, relating to the State of the Colony, together with the Counter Resolutions of the Legislative Council, and the copy of a Petition from the House of Assembly to the House of Commons, the original of which has been entrusted to Mr. Hume to present.

I have to convey to you the expression of my thanks for the copious explanations with which you have furnished me in respect to the various subjects referred to in the Resolutions of the House of Assembly; and in regard to the Petition to the House of Commons. I do not, however, consider that it is incumbent on me to advert to the different topics comprised in these Papers, having, on the principal question relating to the Lands, sufficiently explained to you in my Despatch, Number 57, of the 25th instant, what were the views of Her Majesty's Government. I confine myself therefore on this occasion to the remark that I have no further proposition to make, and that I regret to see such a fruitless prosecution by the Assembly, of measures, on which the opinion of Her Majesty's Government has been so frequently, and decisively expressed.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

J. RUSSELL.

Lieut. Governor Sir C. A. Fitz Roy, &c. &c. &c.

[4]

At the Court at Buckingham Palace, the 1st of April, 1841.

PRESENT:

The Queen's Most Excellent Majesty;

His Royal Highness Prince Albert;

Lord Chancellor,
Lord President,
Lord Privy Seal,
Marquis of Normanby,
Lord Steward,

Lord Chamberlain,
Viscount Palmerston,
Viscount Melbourne,
Sir John Hobhouse, Bart.
Mr. Macaulay.

WHEREAS the Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the Month of April, 1840, pass an Act, which has been transmitted, entitled as follows, viz:—

No. 524.—An Act further to continue for One Year, and to further amend an Act passed in the Seventh Year of His late Majesty's Reign, for raising a Revenue in this Island.

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

C. GREVILLE.

APPENDIX.

[5]

At the Court at Windsor, the 21st of August, 1841.

PRESENT:

The Queen's Most Excellent Majesty ;

His Royal Highness Prince Albert;

Lord Chancellor,

Lord President,

Lord Privy Seal,

Marquis of Normanby,

Earl of Albermarle,

Lord Chamberlain,

Lord John Russell,

Viscount Palmerston,

Viscount Melbourne.

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the Month of April, 1841, pass Eight Acts, which have been transmitted, entitled as follows, viz:—

No. 549.—An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County.

No. 551.—An Act for preventing the Spreading of Infectious Distempers within this Island.

No. 553.—An Act to ascertain the Population of this Colony, and to obtain other Statistical information.

No. 554.—An Act relating to Schools, and for the Encouragement of Education.

No. 555.—An Act relating to Weights and Measures.

No. 557.—An Act to prohibit the Interment of Human Bodies within the limits of the Town of Georgetown, and to establish Burial Grounds in the Common thereof.

No. 561.—An Act for the more effectual Punishment of Offenders, by enabling the Supreme Court to add Hard Labour to the sentence of Imprisonment.

No. 562.—An Act for appropriating certain Moneys therein mentioned, for the Service of the Year of Our Lord One thousand eight hundred and forty-one.

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

C. GREVILLE.

APPENDIX.

[6]

At the Court at Windsor, the 21st August, 1841.

PRESENT:

The Queen's Most Excellent Majesty;
His Royal Highness Prince Albert;

Lord Chancellor,
Lord President,
Lord Privy Seal,
Marquis of Normanby,
Earl of Albemarle,

Lord Chamberlain,
Lord John Russell,
Viscount Palmerston,
Viscount Melbourne.

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the Month of April, 1841, pass an Act, which has been transmitted, entitled as follows, viz:—

No. 556.—An Act to authorize the appointment of Coroners in Prince and King's Counties.

And whereas the said Act has been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty, that the said Act should receive Her Majesty's special confirmation: Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Act, and the same is hereby specially confirmed, ratified, and finally enacted accordingly: Whereof the Governor, Lieutenant Governor, or Commander in Chief for the time being, of Her Majesty's Island of Prince Edward, and all other persons whom it may concern, are to take notice, and govern themselves accordingly:

C. GREVILLE.

[7]

At the Court at Windsor, the 6th of October, 1841.

PRESENT:

The Queen's Most Excellent Majesty;
His Royal Highness Prince Albert;

Lord President,
Lord Privy Seal,
Lord Steward,
Lord Chamberlain,
Earl of Jersey,

Earl of Aberdeen,
Earl Jermyn,
Lord Stanley,
Sir James Graham, Bart.

WHEREAS the Lieutenant Governor of Her Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did, in the month of April, 1841, pass two Acts, which have been transmitted, entitled as follows, viz:—

No. 552.—An Act for the appointment of Fish Inspectors, and to continue and extend the provisions of the Act now in force regulating the size and quality of Fish Barrels and Tierces, and the Weight of Fish made up therein.

No. 560.—An Act further to continue for One Year the Act for granting a Bounty on Vessels engaged in the Fisheries of this Island.

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

(Signed)

W. L. BATHURST.

APPENDIX.

(SEE PAGE No. 21.)

[8]

Report of the Visitor of District Schools, for the Year ending February 8th, 1842.

TO THE MEMBERS OF THE BOARD OF EDUCATION.

GENTLEMEN;

The lapse of another year imposes upon me once more the duty of laying before your Board my Annual Report, on the state and advancement of Education in the Colony.

That there is no matter acknowledged to be of greater importance to the human family, than the Education of the young, is evident from the large share of public attention which the subject of elementary or common school education engages at the present moment in all parts of the civilized world. No subject has of late years excited a deeper interest than this, and it is gratifying to know that amid other questions of vital import to the prosperity of the country, the subject of education is not forgotten or neglected among ourselves, but, that on the contrary, much of the public attention is directed, and a considerable share of the public funds applied to this all-important purpose, and that the consideration of the Legislature itself is now bestowed upon its encouragement and extension as a primary object of paramount public importance. To all, and more especially those to whom the Law has committed the control and supervision of our Educational Institutions, the progress which moral and intellectual education, despite several adverse and discouraging influences, continues to make among our population, cannot fail of affording abundant gratification. That imperfect and inadequate views upon the subject of Education should prevail among a population brought together from distant and unconnected places, and with dissimilar habits and modes both of thought and action, however much to be regretted, can be no matter of surprise, and assuredly no ground of reproach. But that such erroneous and inadequate views can be proven to be steadily, if not rapidly giving way, before the advance of more enlightened opinions which bid fair eventually to dissipate the prejudices of bye-gone times, that brighter prospects should be opening; the reflection that in short a still greater diffusion of intelligence may be anticipated from what has already been achieved, must be cheering to every one interested in the least degree in the welfare of his country.

It is almost unnecessary for me to say that the happy effects of this more general diffusion of information, are every where visible in the industry, and the enterprising character of the inhabitants, in the enlargement and improvement of their agricultural operations, in the extension of their commerce, and in the general prosperity of the community. Our fellow Colonists appear now to be more generally sensible that the employment of their industry, the reward of their enterprise, and the full development of the important natural advantages with which a bounteous Providence has endowed Prince Edward Island, must ever be in proportion to the means afforded for the development of their intelligence.

The best evidence of the growing desire of our population for instruction, and their appreciation of its value will be found in the increasing facilities and means of education. To advert to our District Schools, which are one of the first great means of improving the population, we shall find an increase in their number in a much higher ratio than the increase of population. According to the Returns of the Census taken during the summer of last year, the whole population of the Island will be found to have increased nearly 46 per cent. in eight years. The increase in the number of Schools in the same period is above 63 per cent. In 1833 the number of Schools was 74: at the present moment the total number is 121. But while the Schools have increased in this ratio, the number of children attending them has, in the same period, been more than doubled. In illustration of the preceding remarks, and also for the sake of convenient reference, I beg to subjoin the following table, which gives a view also of the proportion of children receiving daily School instruction to the whole inhabitants.

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Total Population.	Number of Schools.	Number of Scholars.	Average attendance on each School.	Increase in No. of Schools since 1833.	Increase in Scholars since 1833.	Proportion of Pupils to Inhabitants.
In 1833, 32,292	74	2176	29.4	47,	2180	In 1833, 1 to 14.8
1841, 47,034	121	4356	36	or 63 per cent.	or 100 per cent.	" 1841 1 to 10.

NUMBER OF SCHOOLS.

In Charlottetown, Charlottetown, Royalty, Queen's County.	11 2 42	In Prince County,	39.	In King's County,	27.	Total,	121.

Of these 104 are Licensed, and five are female Schools.

The total number of children of both sexes then, receiving daily School instruction is 4356, giving an increase over the preceding year of 731. Notwithstanding this progression, about one half of the youth of the Island may still be considered as being left without education. The number of youth under the age of Sixteen, on the Island, is 22,766; deducting from this amount, those under Six and over Fourteen years of age, the proportion of which to the whole number may be fairly estimated at near a half, we shall have in round numbers 10,000 children within the juvenile educational age fit for attending Schools. Cutting off from this last sum, the number of children receiving private instruction, and who cannot exceed five hundred, there will still remain 9,500 children to supply with instruction, of whom more than one half, as is obvious from the preceding summation, will appear to be left in a condition of complete ignorance. It is however fair to remember that many of those within the educational age, although not at present in actual attendance, have been at School some part of their lives. In a great many instances parents can afford only to send their children to School alternate years or quarters. A degree of instruction, however, so limited, so meagre, is nearly equivalent to none whatever. The number of children who frequent Sunday-schools too is not taken into account in the above computation; for these schools eminently useful as they are in imparting religious knowledge, cannot be ranked in the list of educational establishments, taking this phrase in its proper meaning; and it would be more incorrect still to comprise their pupils in the total number of children receiving instruction on the Island, seeing that the majority of these pupils are also attendants in daily schools, and would thus be twice enumerated in the same table.

Presuming that the foregoing information relative to our School Statistics will be deemed sufficient for the present, by your Board, I proceed to consider the system of public instruction under which these Schools are established, as well as the process of elementary education pursued in them.

The existing "Act for the encouragement of Education," is based on the principle of voluntary contribution, aided by partial assessment and Legislative Grants. The average amount paid by each School District towards the support of its Teacher, is as nearly as I can ascertain, about £40 per annum, including Board and Lodging; add to this the Provincial allowance which will average £10 to each school; (the additional £5 to the higher class schools being counterbalanced by the reduced sum paid towards the support of the Acadian and inferior Schools in the poorer Settlements, and which are included in the above enumeration), it will appear that the proportion of the Teacher's salary defrayed by Government is a fifth, or that for every four pounds paid by the Inhabitants, one pound is paid from the public revenue.

The well known defects of our school system, which from time to time I have brought under your notice, still appear in too many parts of the Island, such as insufficient or incommodious school-houses, the deficiency of desks, benches, and other school apparatus, the want of suitable books, and occasionally of duly qualified school-masters, and the scanty remuneration of meritorious teachers.

In accordance with your understood wishes, I have in former Reports reiterated the fact of the existence of these defects, and the indispensable necessity of a reform; and I should be much more happy to listen to the strictures, or benefit by the suggestions of other more experienced friends of education, than submit for the amendment of the system any project of my own. As it may be expected, however, that I should offer some further remarks upon this subject, as lying within my province, I proceed briefly to observe, in taking up the above defects *seriatim*, that no district should be allowed to participate in the public bounty where the school building is limited to the mere letter of the Act. Although several comfortable and commodious houses have been lately erected, too many are yet very insufficient, and with nothing to entitle them to come within the meaning of the Act, except their containing within four bare walls the prescribed area. It is indispensable to the usefulness of the Master, the improvement of his

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pupils, and to the health and comfort of both, that proper furniture be provided, convenient seats, desks, &c., and that a proper supply of light, fresh air, fuel, and warmth be attended to; these are all matters to which trustees should give constant and particular attention.

It would be much more beneficial were depots established in remote and destitute parts, for the distribution of those elementary books, for the purchase of which One hundred Pounds was granted to the Secretary of your Board in the Session of 1837. Such books to be approved of by your Board, and to be distributed under the directions of the School-trustees of those districts.

In considering the disadvantages connected with, and arising from the last named defects, I would beg to observe that I need not enlarge upon the importance of an Institution for the preparation of teachers, or the defect of that system by which a teacher must work out a plan of his own, and acquire experience at the cost of the pupils committed to his care. Let there be really one superior school in each county, from which the future teachers of the Island shall be drafted, and where before being licensed to teach, they must spend some time in supplying the deficiencies of their own education, and in familiarizing themselves with the practice of communicating knowledge in the most dexterous manner. Should a well endowed school in each County be considered by some, too extravagant an establishment, it is evident, that one Central Seminary ought at least to be sustained, if the country would rear its own improvers, and possess within itself a source for the constant supply of its own increasing wants. A regulation such as this, in my opinion, would do much to enforce the amendment of the system; it would in the first place improve the quality of general education, and we might then have reason to hope, that on the true mercantile principle, the increase in the value of the article would command a corresponding increase in price, and not the teacher merely, but the country would then reap the benefit.

The necessity there exists of holding out higher encouragement to teachers of character and ability, is so evident as to preclude the necessity of my enforcing it by a single word. The inadequate maintenance, and consequent poverty of teachers, is evidently incompatible with that moral influence which a schoolmaster ought to possess over his pupils, and with the high degree of respect with which he ought to be regarded by their parents.

The life of every system of education, is its provision for a constant supply of good teachers; and experience has proved, that this is the part most difficult to deal with, and upon which the greatest difference of opinion exists; to say more on this head would be superfluous; my views and suggestions on the subject are already before you.

In order to afford all possible encouragement to meritorious teachers, it would be advisable to fix a graduated scale in the emolument of the first class of English instructors, and a competition to take place for the best endowed School. Teachers would thus undergo a special examination for a particular school, and each would obtain a higher or lower School, according as his merits would be found to deserve. A regulation like this, holding out prospects of preferment and reward of merit, could not fail in having a favourable effect upon the efforts of teachers.

It would be premature to expect yet the full developement of a measure such as the present School Act, which has been in existence only since April last. I cannot therefore be prepared to draw any inferences from its brief operation, or report how far its provisions are likely to be attended with salutary effects. Time, however, will soon test its efficacy, its merits or demerits, and prove to what extent it is calculated to meet the increasing exigencies of the country. I may be allowed to state, however, that the operation of the provision relating to assessment to which I have directed particular attention, has not in any instance which came within my knowledge, been attended with oppressive or injurious effects; on the contrary, I ascribe much of the increase in the schools, and the school attendance of the past year, over any of the preceding, to that regulation which empowers two thirds of the heads of families in a given district, to assess the residue who might withhold their support. I did not find, however, that the teacher in any instance has reaped the benefit of this provision, by the augmentation of his salary. His salary has remained stationary, while the advantage has accrued to the inhabitants whose individual burdens have been diminished, in proportion to the amount realized to the common fund by the imposition of the assessment. The teacher thus derives from the Statute, no equivalent for the loss to which he has been subjected by the reduction of his small Legislative allowance. In some few instances, he may

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be compensated by the gratuitous liberality of his subscribers, or in a few cases where the interest of the inhabitants may prompt them to make up the deficiency in order to retain an approved school-master in their service.

In directing your attention also to the course of education or process of instruction, I have to remark, that although a high degree of improvement has been manifest in various of our District Schools, since the period of my last Report—yet I have found since then, no such material alteration in their general state—nothing so new or striking in the prevailing mode of instruction pursued—no such marked extension in the range of elementary education in these Schools, as to furnish me with any information, particularly interesting or important to communicate on these heads. On this account, you will not, I venture to presume, consider it necessary for me to enter into further detail at this time, more especially when you will remember the last Report I made to your Board, of the Schools in their several degrees of merit—the minute description I then gave of the state of each School, and the general proficiency of the respective scholars, &c. To furnish you with similar details now, would only be travelling, in a great measure, over the ground explored then. This too, I deem the less necessary, as the Schools opened in the present year do not appear to be of a superior description, nor the attainments of the teachers in the aggregate, of a higher order than those previously established. Indeed, if I may be allowed an opinion, I would say, that in general they are inferior this year. To this, however, there are some striking exceptions: among which I cannot but allude to the fact that of the six second or higher class Schools now open on the Island, three of their teachers have received licenses of qualification during the past year.*

As there may be something new, however, to communicate on the subject above alluded to, I hope again to report to you at the expiration of my term of office in May next, on the state and degree of improvement of each particular school. But to return to the consideration of the system and course of education. It is evident that the great object of the law is the education, in the common branches of secular knowledge, of every child in the Island. It is certain too, that our Schools are not viewed as a means of conveying useful knowledge only, but as powerful auxiliaries in the improvement of morals.

To this end it is wisely provided that none but persons of good moral character and conduct should be entrusted with the education of youth, or at least participate in the public grant. For obvious reasons, however, the law has not introduced any regularly organized system of instruction in the Christian Religion into the Schools, nor has it imposed any obligation on the Masters to teach the doctrines of particular sects. As a consequence, therefore, there has hitherto hardly existed a single school in which the Master has given a properly regulated religious education. Religious instruction in our Schools has gone no further than to impress upon the memory of the children, and make them repeat the questions and answers in some Catechism.

Although this part of instruction is not exacted, by law, of the Schoolmaster, yet I am happy to add, that in several instances, Teachers have acted upon the principle, that moral and religious instruction is the most essential part—the great groundwork of education; and have made it a primary object and duty to impress religious principles upon the youthful and yet uncontaminated mind. This training I found to be more generally practised by those teachers who have immigrated from Britain of late years. Education is indeed of little value unless based upon the Scriptures. All persons of whatever denomination, however widely they may differ upon particular doctrinal points, can entertain but one desire to afford, and but one opinion of the necessity of early education to be extended, alike to the rich and the poor. It would therefore be a matter of deep regret should any religious differences arise to impede or frustrate so desirable and beneficial an object. All objections proceeding from a difference of creeds might be obviated or removed perhaps in mixed Schools, by providing that the great general truths of Christianity in which all sects agree, should at least be inculcated. And those great truths, without which all other knowledge would be vanity, should form as necessary a part of the routine of every District School as the Multiplication Table or the Alphabet itself.

With regard to the course and the amount of education afforded, I have to observe that the branches taught in all our Schools are of a simple elementary character. Reading, Writing, Arithmetic, Book-keeping, English Grammar; in a few instances Geography and some branches of practical Mathematics, and the rudiments of classical learning in the Schools of Pinette and New London Point only. The progress made towards the establishment of a general uniform system of instruction for the government

* One of the last licensed, Mr. Donald Livingston, whose laudable pursuit of learning, and efforts at self-improvement, are deserving of notice, is a native, and a proof of what application and steady perseverance, with but few opportunities, can effect.

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of our Schools, and the obstacles and embarrassments which have hitherto beset, and still stand opposed to the extension of this desideratum, will be found detailed at such length in my last Report, as to relieve me from the necessity of making further allusion to it here.

In the preceding table I have given the total of the youth of both sexes attending school. Although unable, from the absence of certain documents, at present, to show the relative number of the two receiving instruction; yet it is well known that the female proportion falls far short of the other sex in this respect. The range of female education is lamentably limited among us. Very erroneous and imperfect views on this subject prevail in many quarters. It is unnecessary for me to take up any portion of my limited space in insisting on the great importance of female education, in attempting to prove how powerfully the influence of woman operates on all the relations of life, or in saying that it has been acknowledged in all enlightened communities in ancient as well as in modern times, that woman should be as prospectively educated with a view to the right discharge of all the duties of social life, as man is with a view to the proper discharge of the duties of operative or commercial life. The mother in the domestic circle has been compared to the schoolmaster in the school. If it be true that the education of most importance is that received in childhood, that education belongs incontestably to woman. How important is it then that woman should be well educated? The most civilized nations of antiquity, the Heathen, Greeks and Romans were more sensible of the high importance of female education than some Christian communities. Why, enquired a Persian Ambassador "are women held in such high estimation in Lacedemon," because, replied an accomplished queen of that country; "they alone are competent to form men." "What do we want in France," demanded Napoleon, "to insure to our children the best possible education?" "We want, Sire," was the reply worthy of the celebrated Madam Campan, "we want educated mothers." It is to be hoped that more enlightened views on this subject will make more progress among our population—and also, that in every settlement where practicable, the inhabitants will avail themselves of the advantage which the Statute holds out by making such provision as will be a sufficient inducement to females, to qualify themselves for the important office of teacher.

Hitherto, the benefits of Education have been participated, in either more or less by some of all classes and conditions of the population, excepting the benighted remnant of that once numerous, but now, feeble race—the Aborigines of this Island, who continue to rove along the shores, once their own undisputed possession—in search of a scanty and precarious subsistence, unaided by the lights of Education, and uncheered by its rewards. A solitary exception to this people's neglect of Education, is an instance of an Indian boy of 13 years of age, who has been receiving instruction during the last three years, in different settlements around Richmond Bay, according as the migratory habits of the family led them to the vicinity of a School. Notwithstanding this desultory attendance and frequent changing, the proficiency made by this boy—whose name is Martin Francis—proves, that he is not inferior to other children in quickness of apprehension, and capacity to learn. He can read the English reader with fluency, is well versed in the principal Rules of Arithmetic, and a specimen of his writing I herewith enclose. There is a peculiar interest attached to this boy, from the circumstance of his devoting his leisure hours to the instruction of the other children of his tribe. It is difficult to foretell the influence which this youth's precept and example may yet exert over the fortunes of his race. I do not know a more interesting object for the exercise of public generosity, and I trust the benevolent will aid and encourage him in the path of improvement.

To complete my survey of the field of Education, I may be allowed, in connection with the subject, to allude to the recent establishment and multiplication of literary and scientific institutions for the mental improvement of our adult as well as youthful population. Charlottetown has its Mechanics' Institute, Public Libraries and Debating Societies; Georgetown Mechanics' Institute; Princetown, Cavendish, Darnley, Port Hill, Bedeque and Tryon, their Literary Associations, Subscription Libraries and mutual-instruction Societies or Debating clubs, respectively. The inhabitants of Murray Harbour, Lot 63, have also made some progress towards the establishment of a Public Library—all evidences of a growing taste for intellectual and refined pleasures. The Highland Society too, anxious to promote this cause, has appropriated a portion of its funds for the education of orphan children, and for the purchase of prizes to be distributed among the most deserving pupils throughout the Schools of the Island.

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But while so much has been accomplished, let us not forget how great a moral waste remains yet to be reclaimed—how much remains yet to be done for the improvement and extension of our educational system. Many of the Districts indeed are but poor and recently settled, and it would be in vain to expect in such situations all the institutions and advantages of older communities; but with our available means and opportunities, comparatively limited though they be, much more can be done than has hitherto been effected. Before this can be accomplished every member of Society must deeply feel his own individual responsibility in the matter, and instead of trusting to the efforts or relying upon the assistance of others, consider himself imperatively bound to use his own exertions, and enlist his utmost influence in the cause. Much may, doubtless, be expected from the Legislature. The head of the Colonial Government has already given a proof of his solicitude to encourage Education, by officially declaring its extension to be a primary public duty. But the principal burden of Education must still be borne by parents. It would require the greater part of the Revenue to educate the whole. Let the words of that sagacious and talented statesman Lord Brougham, be borne in mind, “that the efforts of the people are still wanting for the purpose of promoting Education, and Parliament will render no substantial assistance, until the people themselves take the matter in hand with energy and spirit, and the determination to do something.”

On the other hand, it would be unwise in any Government to rely upon individual efforts. It should provide to its utmost means, for the support of Education; because, unlike the desire for the other wants and necessities of life, a demand for Education pre-supposes a considerable degree of intelligence and knowledge, much higher than can be reasonably expected, except in instances where the parent himself has been well educated.

It is as unnecessary, as it would be foreign, to the nature of a mere Report, for me to expatiate upon the inestimable value of Education, but it may not perhaps be irrelevant to seize this opportunity of drawing attention to the fact that we need not travel beyond our own bounds for illustration of the truth of this position. In the existing condition of the people, in the present situation and aspect of the country—we shall find abundant and striking proofs of it. Contrast for a moment the state of Prince Edward Island at this day, with its condition a little more than a century ago, when the wild Indian only lingered on the banks of its beautiful streams, or glided with his light canoe over the blue waters of the surrounding gulph, which now bears upon its bosom to our shores the stately barque, freighted with the products of every clime to add to our luxuries, or to minister to our comforts.

Instead of the unproductive wilderness, where wild beasts then ranged at pleasure, may now be seen smiling fields, laden with their yearly golden harvests—the forest which the voice of religion now makes vocal with her song of praise, re-echoed then only the war-whoop of the savage. And such changes have been effected by a people superior only by education to the Aboriginal inhabitants.

It is to be trusted then, the day is not far distant when ignorance shall be held by all to be a greater affliction far than poverty. When all shall appreciate the value of education, and seek it in earnest for their children, when our youthful population shall have a fair start in the race of life with the youth of the sister Provinces, when they shall all inherit that richest legacy, a good education, that wealth which if they secure, will secure to them that happiness and prosperity at home, and that respect abroad, which will always be accorded to an intelligent and high principled people.

It is also ardently to be hoped, that those whose province it is to ameliorate and extend our educational institutions, will ever be sensible that by promoting this great cause, they will promote the highest interests of their country, and that while knowing our system of Public Instruction to have already produced salutary results—they will doubtless direct their attention to consider the prudent amelioration of which it is susceptible, and make still greater efforts for its extension and support.

All which is respectfully submitted,

JOHN McNEILL,
Visitor of District Schools.

Charlottetown Royalty, January, 1842.



(See Page 33.)

PORT OF PRINCE EDWARD ISLAND.

*An Account of Vessels Launched and Registered at this Port in the Year ended
31st December, 1841.*

VESSEL'S NAMES.	OWNERS' NAMES.	TONS.	TONS.
		OLD.	NEW.
Effort - - -	George Hooper -	101	76
Herald - - -	Messrs. Macleod -	51	33
Phoenix - - -	Messrs. Martin & Nicholson	84	59
Ploughboy - - -	Messrs. Baker & Schurman	36	24
Morning Star - - -	Messrs. Deagle - - -	79	55
Four Brothers - - -	Messrs. Deagle - - -	75	54
Defiance - - -	James Robertson - - -	65	49
Dash - - -	Messrs. Saunderson - - -	193	160
Agenoria - - -	Messrs. Campbell & Macdougall	40	25
Brothers - - -	Robert Milligan - - -	78	64
William - - -	Messrs. Dingwell & Flynn	111	97
Mary - - -	Charles Barreaux - - -	62	38
Mary Louisa - - -	Messrs. Campbell - - -	46	29
William Horatio - - -	Messrs. Saunderson - - -	182	138
Ireland - - -	Daniel Brenan - - -	411	446
Commix - - -	Messrs. Steward & Murphy	54	43
Saxe Gotha - - -	Andrew Duncan - - -	464	541
Seaflower - - -	Charles Worrell - - -	118	100
Temperance - - -	Messrs. Burhoe - - -	70	48
Adeline - - -	Daniel Brenan - - -	409	442
Robert Morrow - - -	John Davis, jun. - - -	273	283
Warrior - - -	James Lowther - - -	229	260
Mary Ann - - -	Messrs. Beaton - - -	17	11
Finella - - -	Messrs. Orr - - -	197	192
T. H. Haviland - - -	John Davis, jun. - - -	204	193
Happy Return - - -	Duncan M. Rae - - -	29	21
Helen - - -	James Peake - - -	203	182
Trial - - -	Thomas Clow - - -	78	66
Sir James Macdonell - - -	Neil M'Callum - - -	212	225
Five Sisters - - -	Messrs. Yeo - - -	441	495
Theresa Jane - - -	William Gourley - - -	336	379
Elizabeth - - -	William Lord - - -	143	125
Arman Ella - - -	Finlay Macdonald - - -	76	50
James Reddin - - -	Dennis Reddin - - -	218	245
John Bromham - - -	James Peake - - -	358	385

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VESSELS' NAMES.		OWNERS' NAMES.		TONS, OLD.	TONS, NEW.
Virgin Lass	-	Nicholas Jenkins	-	125	121
Amelia	-	Samuel Nelson	-	166	156
Jane	-	James Peake	-	191	173
Henry	-	James Peake	-	180	165
Siren	-	Messrs. Longworth	-	259	266
Trial	-	Messrs. M'Ewen & Macdonald	-	50	66
Ringdove	-	Messrs. Taylor & Belson	-	45	31
Diamond	-	James Peake	-	98	350
Mary	-	Messrs. Johnson & Caie	-	295	297
Velocity	-	Messrs. Webster & Coffin	-	126	106
Victoria	-	John Richards	-	220	205
Margaret	-	Messrs. Johnson & Caie	-	195	180
Jane	-	Daniel Brenan	-	102	95
Lady Mary	-	John Davis, jun.	-	164	185
Alice Haviland	-	James Lowther	-	190	181
Lady Mary	-	Messrs. Mathewson & Shaw	-	180	178
Saint Lawrence	-	John Davis, jun.	-	221	255
Aspendus	-	Messrs. Mathewson	-	135	108
Conservative	-	Messrs. Simpson	-	277	289
Glengarry	-	Joseph Macdonald	-	166	152
Arab	-	Thomas How	-	188	184
Spray	-	David Robertson	-	49	30
Governor Harvey	-	Donald Beaton	-	138	135
Nester	-	Richard Pearse	-	195	185
Antelope	-	Messrs. Lord	-	221	213
British Lady	-	James Yeo	-	245	254
Gazelle	-	Messrs. Dingwell	-	207	180
Lady Harvey	-	Joseph Dingwell	-	199	199
Saint Margaret	-	Messrs. Cormack & Macphee	-	111	98

64 Vessels.

TOTAL TONS, 10,881 10,670

Custom House, 31st December, 1841.

GEORGE R. GOODMAN, Collector.

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PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT of Vessels for which Certificates have been granted at this Port, previous to their being Registered, in the Year ended 5th January, 1842.

NAMES OF VESSELS.	OWNERS' NAMES.	TONS, NEW.	TONS, OLD.
Best,	George Hooper,	39	50
Henry Davies,	Daniel Davies,	182	200
Isabella,	Frederick De Lisle,	337	314
Harriet,	William Tucker,	111	123
Henrietta,	William Tucker,	225	178
Orestas,	George Hooper,	198	199
Sylvanus,	George Hooper,	320	298
Total Tons,		1412	1362

Custom House, 5th January, 1842.

GEORGE R. GOODMAN, Collector.

PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT shewing the number of Vessels and Amount of Tonnage employed in the Foreign and Coasting Trades, in the Year ended 31st December, 1841.

FOREIGN TRADE.			COASTING TRADE.		
No.	Tons.	Men.	No.	Tons.	Men.
61	14,262	617	152	7,378	440

Custom House, 5th January, 1842.

GEORGE R. GOODMAN, Collector.

PORT OF PRINCE EDWARD ISLAND.

AN ACCOUNT shewing the number of Vessels and Amount of Tonnage transferred from this Island to other Ports, during the Year ended 5th January, 1842.

NUMBER OF VESSELS.	TONNAGE.
51	8,640

Custom House, 5th January, 1842.

GEORGE R. GOODMAN, Collector.

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PORT OF PRINCE EDWARD ISLAND.

A Detailed ACCOUNT of Duties collected at this Port, under Acts passed by the Imperial Parliament, subsequent to 18th Geo. 3rd, in the Year 1841.

	£	s.	d.		£	s.	d.
Brandy, -	142	14	1	Pails, -	0	7	6
Wine, -	38	14	4	Paper Hangings, -	6	11	11
Carriages, -	3	3	0	Stoves, -	0	8	8
Confectionary, -	2	5	11	Sundries, -	3	11	6
Rum, -	39	6	6	Tin Ware, -	1	19	7
Glassware, -	3	16	0	Threshing Machines, -	3	11	6
Coffee, -	14	12	0	Toilet Stands, -	0	5	11
Flour, -	20	0	0	Vinegar, -	0	3	5
Molasses, -	191	1	1	Winnowing Machines, -	0	7	2
Pork and Beef, -	21	0	0	Axes, -	0	7	6
Raisins, -	2	1	8	Bedsteads, -	0	10	11
Sugar, -	638	14	8	Balances, -	0	13	8
Soap, -	1	10	3	Buffalo Skins, -	4	14	4
Snuff, -	0	13	2	Boots and Shoes, -	6	8	8
Pitch, -	0	4	6	Cigars, -	0	11	6
Sleighs, -	1	11	11	Chairs, -	2	18	8
Pepper, -	0	10	4	Cheese, -	0	9	0
Cheese, -	0	14	9	Corks, -	0	4	11
Shoes and Paper, -	39	16	6	Brass Knobs, -	0	1	2
Clocks, -	3	0	8	Fig Paste, -	0	0	10
Hams, -	1	1	0	Ginger, -	0	2	1
Gin, -	81	6	6	Hardware, -	0	12	7
Tobacco, -	35	4	11	Harness Polish, -	0	1	11
Nuts, -	1	10	3	Harnesses, -	2	2	11
Leather, -	15	4	6				
Candles, -	16	3	9	Total receipts at Charlottetown, £	1400	5	2
Marble, -	0	16	9	Paid in by Sub-Collectors,	151	19	9
Indigo, -	7	11	3	Balance from last year, -	328	1	9
Lemon Syrup, -	0	14	2	Surcharges, -	1	16	2
Lime Juice, -	0	11	6				
Saltpetre, -	0	6	0	Total,	£1882	2	10½
Brooms, -	0	16	0				
Medicines, -	5	0	1	Paid into Colonial Treasury,	888	6	8
Seeds, -	18	14	8	Expended in the service of the			
Mustard, -	0	5	4	Customs, -	709	0	3
India Rubber Shoes, -	7	17	6	Balance in hand, -	284	15	11½
Looking Glasses, -	1	0	4				
Mahogany, -	2	17	3	Total,	£1882	2	10½
Nutmegs, -	0	4	3				

Custom House, 5th January, 1842.

GEORGE R. GOODMAN, Collector.

PORT OF CHARLOTTETOWN, PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS IMPORTED IN THE YEAR ENDED 5TH JANUARY, 1842.

ARTICLES IMPORTED.	Great Britain.			British West Indies.			British North American Colonies.			Foreign Countries.			TOTAL. British Sterling.			
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	
BRANDY,	94	7	4	.	.	.	623	4	3	.	.	.	717	11	7	
CORDAGE,	1407	17	7	.	.	.	1087	15	9	.	.	.	2495	13	4	
Dry Goods,	16217	9	7	.	.	.	20043	13	6	.	.	.	39261	3	1	
IRON,	1310	17	0	.	.	.	610	1	2	.	.	.	1920	18	2	
MOLASSES,	.	.	.	.	.	.	1848	2	11	.	.	.	1848	2	11
NAILS,	722	4	4	.	.	.	1083	5	7	.	.	.	1805	9	11	
SAIL CLOTH,	274	0	0	.	.	.	47	10	5	.	.	.	321	10	5	
SALT,	39	0	9	.	.	.	38	17	4	.	.	.	78	6	9	
STATIONERY,	.	.	.	.	.	.	422	1	3	.	.	.	422	1	3
SOAP,	196	9	3	.	.	.	543	4	3	6	16	4	746	9	10	
SUGAR,	113	1	4	.	.	.	3643	10	8	.	.	.	3756	12	0	
RUM,	734	15	2	.	.	.	1941	6	11	.	.	.	1941	6	11	
TEA,	214	12	2	.	.	.	5826	8	9	.	.	.	6561	3	11	
TORACCO,	13463	13	11	.	.	.	1960	12	0	.	.	.	1960	12	0	
WINE,	.	.	.	.	.	.	1031	11	3	.	.	.	1246	3	5
SUNDRIES,	22825	10	2	9	12	8	2	37201	12	3
TOTAL,	£34,788	8	5	.	.	.	63,576	16	2	9	19	13	2	99,284	17	9

Custom House, 5th January, 1842.

GEO. R. GOODMAN, Collector.

PORT OF CHARLOTTETOWN, PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS EXPORTED IN THE YEAR ENDED 5TH JANUARY, 1842.

ARTICLES EXPORTED.	Great Britain.			Ireland.			British West Indies.			British North American Colonies.			Foreign Countries.			TOTAL. British Sterling.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
OATS,	10	12	0	.	.	.	153	4	0	6592	18	0	738	5	0	7494	19	0
BARLEY,	.	.	.	.	.	.	6	9	0	476	1	0	.	.	.	482	10	0
FLOUR,	.	.	.	.	.	.	.	.	.	43	0	0	.	.	.	43	0	0
WHEAT,	.	.	.	.	.	.	.	.	.	21	0	0	.	.	.	21	0	0
OATMEAL,	.	.	.	.	.	.	.	.	.	4557	0	0	.	.	.	4557	0	0
BEEF,	.	.	.	.	.	.	.	.	.	44	0	0	.	.	.	44	0	0
PORK,	.	.	.	.	.	.	.	.	.	1448	0	0	.	.	.	1448	0	0
FISH (Dry),	.	.	.	.	.	.	.	.	.	84	0	0	.	.	.	84	0	0
FISH (Pickled),	.	.	.	.	.	.	.	.	.	117	0	0	.	.	.	117	0	0
TIMBER,	1712	10	0	506	0	0	.	.	.	950	0	0	20	0	0	3168	10	0
LATHWOOD,	98	0	0	66	5	0	.	.	.	92	0	0	.	.	.	256	5	0
SPARS,	11	0	0	50	0	0	.	.	.	96	4	0	.	.	.	157	4	0
SCANTLING,	.	.	.	.	.	.	.	.	.	416	0	0	.	.	.	416	0	0
STAVES,	.	.	.	.	.	.	.	.	.	6	0	0	.	.	.	23	0	0
BOARDS & DEALS,	1283	0	0	1754	2	0	.	.	.	583	11	0	.	.	.	3620	13	0
SHINGLES,	.	.	.	.	.	.	.	.	.	264	5	0	.	.	.	264	5	0
CATTLE,	.	.	.	.	.	.	.	.	.	2360	0	0	.	.	.	2360	0	0
SHEEP,	.	.	.	.	.	.	.	.	.	232	10	0	.	.	.	232	10	0
HOGS,	.	.	.	.	.	.	.	.	.	39	0	0	.	.	.	39	0	0
TURNIPS,	.	.	.	.	.	.	.	.	.	124	14	0	.	.	.	124	14	0
POTATOES,	.	.	.	.	.	.	.	.	.	87	6	0	.	.	.	7311	7	0
SUNDRIES,	56	0	0	19	0	0	.	.	.	4486	6	0	95	11	6	7494	4	6
TOTAL,	£3,171	2	0	2,412	7	0	246	19	0	30,344	16	0	853	16	6	37,029	0	0

Custom House, 5th January, 1842.

GEO. R. GOODMAN, Collector.

OUT-PORT OF MALPEQUE, PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS IMPORTED IN THE YEAR ENDED 5TH JANUARY, 1842.

ARTICLES IMPORTED.	Great Britain.		British West Indies.		British North American Colonies.		Foreign Countries.		TOTAL.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
BRANDY,					33	10 0			33	10 0
CORDAGE,	283	8 9			98	7 4½			381	16 1¼
DRY GOODS,	531	10 4			1380	19 9			1912	10 1
NAILS,	30	0 0			119	15 2			149	15 2
MOLASSES,					149	1 3			149	1 3
SAIL CLOTH,	130	0 0			195	13 7			325	13 7
SALT,	81	0 0			152	14 2			233	14 2
STATIONERY,					1	0 0			1	0 0
SOAP,					5	14 2			5	14 2
SUGAR,					192	8 1			192	8 1
RUM,					138	19 6			138	19 6
TEA,					453	5 6			453	5 6
TOBACCO,					151	13 8			151	13 8
WINE,	127	0 0			33	17 3			160	17 3
IRON,	144	6 0			139	1 3			283	7 3
SUNDRIES,	950	14 10			2570	14 7			3521	9 5
Total,	£2,277	19 11			5,816	15 3½			8,094	15 2½

Custom House, 5th January, 1842.

CHARLES MACNUTT, Sub-Collector.

OUT-PORT OF MALPEQUE, PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS EXPORTED IN THE YEAR ENDED 5TH JANUARY, 1842.

ARTICLES EXPORTED.	Great Britain.		British West Indies.		British North American Colonies.		Foreign Countries.		TOTAL. British Sterling.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
BARLEY,										
PEARL BARLEY,										
FLOUR,										
OATMEAL,										
BEEF,										
PORK,										
FISH (Dry),										
FISH (Pickled),										
TIMBER,										
LATHWOOD,										
SPARS,										
SCANTLING,										
BOARDS and PLANK,										
CATTLE,										
SHEEP,										
PIGS,										
TURNIPS,										
POTATOES,										
OATS,										
SUNDRIES,										
TOTAL,	£1,999	6 9			7,197	2 10			9,196	9 7

Custom House, 5th January, 1842.

CHARLES MACNUTT, Sub-Collector.

OUT-PORT OF CASCUMPEQUE, PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS EXPORTED IN THE YEAR ENDED 5th JANUARY, 1842.

ARTICLES EXPORTED.	Great Britain.		British West Indies		British North American Colonies,		Foreign Countries.		TOTAL.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
OATS,	.	.	.	.	360	0 0	.	.	360	0 0
OATMEAL,	.	.	.	.	22	10 0	.	.	22	10 0
DRY FISH,	.	.	.	.	674	0 0	.	.	674	0 0
CATTLE,	.	.	.	.	138	0 0	.	.	138	0 0
PIGS,	.	.	.	.	15	0 0	.	.	15	0 0
SHEEP,	.	.	.	.	19	0 0	.	.	19	0 0
TRENAILS,	.	.	.	.	35	0 0	.	.	35	0 0
TIMBER,	153	12 6	.	.	.	.	.	.	153	12 6
DEALS,	10	0 0	.	.	.	.	.	.	10	0 0
LATHWOOD,	7	5 0	.	.	.	.	.	.	7	5 0
SPARS,	7	0 0	.	.	.	.	.	.	7	0 0
STAVES,	.	.	.	.	4	10 0	.	.	4	10 0
DRY GOODS,	.	.	.	.	42	0 0	.	.	42	0 0
SUNDRIES,	.	.	.	.	240	10 0	.	.	240	10 0
TOTAL,	£	177 17 6	.	.	1550	10 0	.	.	1728	7 6

Custom House, 5th January, 1842.

NICHOLAS CONROY, Sub-Collector.

OUT-PORT OF THREE RIVERS, PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS EXPORTED IN THE YEAR ENDED 5th JANUARY, 1842.

ARTICLES EXPORTED.	Great Britain.		British West Indies		British North American Colonies,		Foreign Countries.		TOTAL.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
BARLEY,									623	19 0
BILLETS,									15	10 0
CODFISH,									942	0 0
DEALS & PLANK,	1210	5 0							1210	5 0
BOARDS,									478	10 0
LATHWOOD,	39	5 0							39	5 0
OATS,									1475	7 4
OATMEAL,									169	0 0
POTATOES,									1832	5 0
PORK,									127	0 0
SHINGLES,									113	0 0
SPARS,	3	0 0							7	10 0
TIMBER,	542	10 0								
SUNDRIES,	25	0 0							456	0 0
TOTAL,	£1820	0 0							6240	1 4
									35	0 0
									8095	1 4

Custom House, 5th January, 1842.

HUGH MACDONALD, Sub-Collector.

OUT-PORT OF COLVILLE BAY, PRINCE EDWARD ISLAND.

AN ACCOUNT OF GOODS IMPORTED IN THE YEAR ENDED 5TH JANUARY, 1842.

ARTICLES IMPORTED.	Great Britain.		British West Indies.		British North American Colonies.		Foreign Countries.		TOTAL.		
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	
BRANDY,	111	8	2
CORDAGE,	1694	9	9½
DRY GOODS,	95	6	8
NAILS,	132	4	0
MOLASSES,	25	16	7
SAIL CLOTH,	7	10	0
SALT,
100 bushels,
STATIONERY,
SOAP,	25	7	4
11 barrels,	42	19	9
SUGAR,	282	2	9
1,301 gallons,	289	12	0
RUM,	162	7	6½
2,029 lbs.	32	16	6
TEA,	169	10	0
3,727 lbs.	1108	7	4
TOBACCO,
86 gallons,
WINE,
Iron,
10 tons, 14 cwt.
SUNDRIES,
TOTAL,	£	.	£	.	£	.	£	.	4,179	18	5

Custom House, 5th January, 1842.

W. S. MACGOWAN, Sub-Collector.

PORT OF PRINCE EDWARD ISLAND.

AN AGGREGATE ACCOUNT OF IMPORTS FOR THE YEAR ENDED 5th JANUARY, 1842.

PORTS.	Great Britain.		British West Indies.		British North American Colonies.		Foreign Countries.		TOTAL.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
CHARLOTTETOWN,	34788	8 5	.	.	63576	16 3	919	13 2	99284	17 9
BEBEQUE,	.	.	.	.	3087	6 7	.	.	3087	6 7
MALPEQUE,	2277	19 11	.	.	5816	15 3½	.	.	8094	15 2½
CASCUMPEQUE,	272	10 0	.	.	518	0 9	.	.	790	10 9
THREE RIVERS,	700	9 10	.	.	11009	0 6	18	0 0	11727	10 4
COLVILLE BAY,	.	.	.	.	4179	18 5	.	.	4179	18 5
	TOTAL, £38,089 8 2		.	.	88,887	17 8½	987	13 2	127164	19 6½

Custom House, 5th January, 1842.

GEO. R. GOODMAN, Collector.

PORT OF PRINCE EDWARD ISLAND.

AN AGGREGATE ACCOUNT OF EXPORTS FOR THE YEAR ENDING 5th JANUARY, 1842.

PORTS.	Great Britain.		Ireland.		British West Indies.		British North American Colonies.		Foreign Countries.		TOTAL. British Sterling.												
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.											
CHARLOTTETOWN,	3171	2 0	2412	7 0	246	19 0	30344	16 0	853	16 6	37029	0 6											
BEDQUE,	923	15 4	.....	.....	.....	.....	6750	6 3	109	8 0	7793	9 7							
MALPEQUE,	1999	6 9	.....	.....	.....	.....	7197	2 10	.....	.....	9196	9 7					
CASCUMPEQUE,	177	17 6	.....	.....	.....	.....	1550	10 0	.....	.....	1728	7 6					
THREE RIVERS,	1820	0 0	.....	.....	.....	.....	6240	1 4	35	0 0	8095	1 4							
COLVILLE BAY,	.....	.....	.....	.....	.....	.....	4491	0 0	.....	.....	4491	0 0			
TOTAL,											£	8092	1 7	2412	7 0	246	19 0	56373	16 5	998	4 6	68323	8 6

Custom House, 5th January, 1842.

GEO. R. GOODMAN, Collector.



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Oysters, to amend an Act prohibiting the Exportation of; Brought up from Assembly, and read a first time, 70. Read a second time, 71. Committed, and agreed to, 72. Read a third time, and passed, 73. Lieutenant Governor's assent, 97.

Jurors, to consolidate and amend the Act relating to; Brought up from Assembly and read a first time, 70. Committed, and agreed to, 73. Read a third time, and passed, 74. Lieutenant Governor's assent, 97.

Agent for the House of Assembly in Great Britain, to provide for the payment of; Brought up from Assembly, and read a first time, 72. Ordered to be read a second time in six months, 81.

Ox Eye Daisies, for the Destruction of; Brought up from Assembly, and read a first time, 74. Read a second time, 84. Further consideration postponed for Six months, 86.

Revenue, for the increase of; Brought up from Assembly, and read a first time, 76. Read a second time, 79. Committed, and agreed to, 83. Read a third time, and passed, 94. Lieutenant Governor's assent, 99.

Distilled Spirituous Liquors, manufactured within this Island, to impose a Duty on; Brought up from Assembly, and read a first time, 76. Ordered to be read a third time in Six months, 84.

Appropriation Bill; Brought up from Assembly, and read a first time, 76. Read a second time, 86. Committed, *ib.* Committed, and conference asked, 92. Held and reported, 93. Further conference held and reported, 94. Committed and agreed to, 94, 95. Read a third time, and passed, 95. Lieutenant Governor's assent, 99.

Bills, continued.

Steamboat Company, for the Incorporation of; Brought up from Assembly, and read a first time, 76. Read a second time, 78. Committed and agreed to, with amendments, *ib.* Read a third time, and passed, with the amendments, 79. Assembly agree to amendments, 84. Lieutenant Governor's assent, 98.

Asylum for Insane persons, to repeal part of an Act to authorize the erection of a Building for that purpose; Brought up from Assembly and read a first time, 84. Read a second time, 85. Committed and agreed to, 87. Read a third time and passed, *ib.* Lieutenant Governor's assent, 99.

Sick Emigrants, to create a Fund for providing for, &c.; Brought up from Assembly, and read a first time, 79. Read a second time, committed, and conference asked, 87. Held and reported, 90. Further conference held and reported, 91. Read a third time and passed, 96. Lieutenant Governor's assent, 98.

Colonial Building, to authorize the appointment of Commissioners to superintend the Erection of, &c.; Brought up from Assembly and read a first time, 84. Read a second time, 85. Committed and agreed to, 87. Read a third time, and passed, *ib.* Lieutenant Governor's assent, 99.

Bills, originated in Council.

To confirm and render valid certain proceedings of the Executive Government; Transmitted by the Lieutenant Governor in Her Majesty's name, and read a first time, 8. Read a second time, committed and agreed to, *ib.* Read a third time, and passed, 10. Lieutenant Governor's assent, 12.

Criminal Sessions in Queen's County, to establish; Brought in by Hon. Mr. Young, and read a first time, 19. Read a second time, 21. Committed and

Bills, continued.

agreed to, *ib.* Read a third time, and passed, 23.

Highways, to amend the Act relating to; Brought in by the Hon. Mr. Swabey, and read a first time, 21. Read a second time, 32. Committed and referred to a Special Committee to report thereon, *ib.* Committee report, 35. Report committed and agreed to, with amendments, *ib.* Bill read a third time, and passed, 36.

To amend the Law relating to the admission of Barristers, Attorneys and Solicitors, &c.; Brought in by Hon. Mr. Young, and read a first and second time, 25. Agreed to, 26. Read a third time, and passed, 27. Amended by Assembly, 32. Amendment read a first time, 33. Read a second and third time, and agreed to, 34. Lieutenant Governor's assent, 97.

CENSUS RETURNS; The Hon. Mr. Brecken lays before the House, 24. *Custom House Returns*, laid before the House, 33.

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JOURNALS; Committee appointed to revise, 7. Ordered to be printed daily, *ib.*

MESSAGES from Lieutenant Governor :

1. Transmitting copy of Despatch from Lord Stanley with a copy of a Bill to confirm certain proceedings of the Executive Government of this Island, 8.
2. Transmitting several Despatches and Orders of Her Majesty in Council, on various subjects, 12.
3. Legislative Council to adjourn until 28th March, 59.
4. Bringing under the notice of the Council the difficulty existing from the want of an efficient Constabulary force in Charlottetown, 65.
5. Laying before the Council a copy of the Estimates for the service of the current year, 35.

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1. From William Weeks; praying Council to sanction the grant of a sum of money in aid of running his Packet, 28.
2. William Morrison; praying an alteration in the Act relating to Fish Inspectors, 34.
3. Inhabitants of Queen's County; praying Council to withhold its assent to the Bill imposing a Duty on Distilled Spirituous Liquors manufactured within the Island, 82.

RULES and Standing Orders; Clerk directed to transcribe, and ordered to be published in the form of a pamphlet, 8.

SWABEY, Hon. WILLIAM; introduced as a Member, 5.

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WARRANT BOOK; Copy of laid before the House, 33.

Appendix, Documents contained in, viz:

- No. 1. Copy of Despatch from Lord John Russell to Sir C. A. Fitz Roy, on the subject of the purchase of the Lands from the Proprietors.
2. Copy of Despatch from Lord John Russell relating to the state of the Colony.
3. Copy of Despatch from Lord John Russell on the same subject.
4. Order of Her Majesty in Council allowing a certain Act.
5. Order of Her Majesty in Council, allowing various Acts.
6. Order of Her Majesty in Council, allowing a certain Act.
7. Order of Her Majesty in Council, allowing various Acts.
8. Report of the Visitor of Schools.
9. Census Returns.
10. Custom House Returns.

