

Prince Edward Island. Laws, Statutes,
etc. Session laws 45
Oct 4

THE
ACTS

OF THE

GENERAL ASSEMBLY

OF

PRINCE EDWARD ISLAND,

FOR THE YEAR

1841.



CHARLOTTETOWN:

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EXCELLENT MAJESTY:

1841.

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TITLES OF THE ACTS.

Anno IV. Victoriae Reginae.

	PAGE.
I. An Act to continue and amend an Act made and passed in the Seventh Year of the Reign of His late Majesty King <i>William the Fourth</i> , intituled <i>An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County.</i>	575
II. 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.	576
III. An Act to continue for a limited period, an Act passed in the Seventh year of the Reign of His late Majesty King <i>William the Fourth</i> , intituled <i>An Act to continue and amend the Act for more effectually preventing the spreading of Infectious Distempers within this Island.</i>	579
IV. 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.	580
V. An Act to enable the Government to ascertain the Population of this Colony, and to obtain other Statistical information therein mentioned.	590
VI. An Act relating to Schools, and for the encouragement of Education.	596
VII. An Act to amend the Act relating to Weights and Measures... ..	612
VIII. An Act to authorize the appointment of Coroners in Prince and King's Counties.	614
IX. 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.	615
X. An Act to amend an Act of the Seventh year of the Reign of His late Majesty King <i>William the Fourth</i> , intituled "An Act to repeal certain parts of an Act, intituled <i>An Act for the limitation of Actions, and for avoiding Law suits, so far as the same relate</i>	

TITLES OF THE ACTS.

	PAGE.
<i>to Actions concerning Real Estate, and to make other provisions in lieu thereof.</i>	618
XI. An Act to further continue and to amend the Act for regulating the measurement of Ton Timber, Boards, and all other kinds of Lumber, and declaring what shall be deemed Merchantable; and for appointing Officers to Survey the same.	619
XII. An Act further to continue for One year, the Act for granting a Bounty on Vessels engaged in the Fisheries of this Island.	620
XIII. An Act to continue an Act for the more effectual punishment of Offenders, by enabling the Supreme Court to add hard labour to the sentence of Imprisonment.	621
XIV. An Act for appropriating certain Moneys therein mentioned, for the Service of the Year of Our Lord One thousand eight hundred and forty-one.	621

ANNO QUARTO
VICTORIÆ REGINÆ.

At the General Assembly of Her Majesty's 1841.

Island of *Prince Edward*, begun and holden at *Charlottetown*, the Twenty-second Day of *January*, *Anno Domini* 1839, in the Second Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God of the United Kingdom of *Great Britain* and *Ireland*, Queen, Defender of the Faith:

Sir CHARLES
A. FITZ ROY,
Lieut. Governor.

R. HODGSON,
President of
Council.

And from thence continued by several Prorogations, to the Twenty-sixth day of *January*, 1841, and in the Fourth Year of Her said Majesty's Reign; being the Fourth Session of the Fifteenth General Assembly convened in the said Island.

W. COOPER,
Speaker.

CAP. I.

An Act to continue and amend an Act made and passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County.*

[Passed April 17th, 1841.]

WHEREAS the said Act will shortly expire, and it is expedient to protect Suitors in the said Court from unnecessary delay and expense by

the discontinuance of their Actions, were the said Act allowed to expire before such actions were terminated by due course of Law: Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That the said Act, and every matter, clause and thing therein contained, be continued, and the same is hereby continued for two years, from the Twentieth day of *April* next, and from thence to the end of the then next Session of the General Assembly, and no longer.

Continues Act of 7th Will. 4th, cap. 4, for 2 years, from 20th April, 1841.

Limitation Clause in said Act not to affect any Suit pending.

II. And be it enacted, That the Clause of limitation in the herein-before recited Act shall not be deemed to affect any cause now pending in the said Supreme Court, in relation to the said Easter Term, but the same shall be of the same force and effect, as if the said recited Act had not been limited in its duration.

CAP. II.

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.

[Passed 29th April, 1841.]

WHEREAS it is deemed expedient further to continue and amend the hereinafter recited Act:

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That an Act passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the increase of the Revenue of this Island*, and continued for One Year by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to continue for One*

Act of 7th Will. 4th, cap. 32.

Continued by Act of 1st Victoria, cap. 17.

Year, and to amend an Act passed in the Seventh Year of His late Majesty's Reign, intituled An Act for the increase of the Revenue of this Island, and further continued and amended by an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to further continue for One Year, and to amend an Act passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, for raising a Revenue in this Island,* and further continued and amended by an Act passed in the Third Year of the Reign of Her present Majesty, intituled, *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,* be, and the same is hereby further continued for One Year, from the Fifth day of May next.

Continued by Act of 2d Victoria, 2d Session, cap. 1.

Continued by Act of 3d Victoria, cap. 3.

Further continued for 1 year, from 5th May, 1841.

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

Impost Duty of £2 10s. per centum to be levied on Hemp, Cordage, &c.

III. And be it further enacted, That from and after the Fifth day of May next, and during the continuance of this Act, no Colonial Duty shall be chargeable or paid on Molasses, imported into this Colony, any thing in the herein before recited Act, to the contrary notwithstanding.

Exempts Molasses from Impost Duty.

IV. And whereas nearly all the Brown or Muscovado Sugar, imported into this Colony, of late years, has been of Foreign manufacture, and which Sugar has been, and still is liable to the

payment of an Imperial Duty of Five Shillings Sterling, per hundred weight, as well as an additional Duty, equal to the Colonial Duty chargeable thereon, when imported direct from any Foreign Country, or from any of Her Majesty's Warehouses: And as one half or thereabouts of said Sugar, has been imported into this Colony from the neighbouring Colonies, subject here only to Colonial Duty, and as it is provided by Her Majesty's Government that all the Imperial Duties collected in this Colony, over and above the amount required, for the payment of the Officers of Her Majesty's Customs, shall be paid into the Treasury of this Island, it is only just and right that the Imperial Duty should be paid in this Colony, on all Foreign Sugar imported and consumed therein:

Exempts Foreign Sugars from Impost Duty.

Be it therefore enacted, that all Sugar imported direct from any Foreign Country, or from any of Her Majesty's Warehouses, or that may be subject on its importation into this Colony, to any Imperial Duty, or that may be imported direct from any Port in Her Majesty's Colonies, not being a Free Warehousing Port, no Colonial Duty shall be chargeable or paid thereon, any Act to the contrary notwithstanding.

V. And whereas the several Duties imposed on Foreign Rum, imported into this Colony by the Imperial Parliament of Great Britain, as well as by the Legislature of this Colony, amount together to a sum which is deemed excessive, whereby the trade in that article is too much restricted, and great loss is sustained in the Revenue of this Island:

Exempts Foreign Rum from Impost Duty.

Be it therefore enacted, That from and after the Fifth day of May next, and during the continuance of this Act, no Colonial Duty shall be paid or chargeable on any Rum, imported from any Foreign Country, or that may be liable to any

Duty imposed thereon by any Act of the Imperial Parliament of Great Britain, on its importation into this Colony, any thing in the hereinbefore recited Act, or any other Act of this Island to the contrary notwithstanding.

VI. And be it enacted, That if any Goods, Wares or Merchandize, shall be seized for non-payment of Duties, or any other cause of forfeiture, and any dispute shall arise whether the duties have been paid for the same, or the same shall have been lawfully imported, or lawfully laden, or exported, the proof shall be on the owners or claimer of such Goods, Wares or Merchandize, and not on the officer who shall seize and detain the same, any Law or usage to the contrary notwithstanding.

Where Goods, &c. are seized for any breach of this Act, burthen of proof to be upon claimant.

VII. And be it further enacted, That this Act shall continue and be in force until the Sixth day of May, which will be in the Year of our Lord One thousand Eight hundred and Forty-two, and no longer.

Continuance of Act.

CAP. III.

An Act to continue for a limited period, an Act passed in the Seventh year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to continue and amend the Act for more effectually preventing the spreading of Infectious Distempers within this Island.*

[Passed 29th April, 1841.]

WHEREAS the Act hereinafter mentioned is about to expire, and it is deemed expedient to continue the same for a limited period: Be it enacted, by the Lieutenant Governor, Council and Assembly, That an Act passed in the Seventh

Continues Act of 7th Will. 4th, cap. 5, for 7 years.

year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to continue and amend the Act for more effectually preventing the spreading of Infectious Distempers within this Island*, be, and the same is hereby continued for and during the space of Seven Years from the passing hereof, and no longer.

CAP. IV.

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.

[Passed April 29th, 1841.]

WHEREAS the Act next hereinafter recited will expire at the end of the next Session of the General Assembly, and it is expedient to continue the same: And whereas frauds and impositions to a serious extent are frequently perpetrated upon individuals by the importing and vending within this Island, and the exporting therefrom, Pickled Fish of an inferior and unwholesome quality, and it is expedient that the provisions of the said Act be extended to the inspection of Pickled Fish:—Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, that an Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for establishing the size and quality of Fish Barrels and Tierces, and for regulating the weight of Fish, the same shall contain*, be, and the same is hereby continued in force for and during the continuance of this Act.

Continues Act of
4th Will. 4th,
cap. 4, for 2
years.

II. And be it enacted, That from and after the passing of this Act, it shall and may be lawful to and for the Lieutenant Governor, or other Administrator of the Government for the time being; to appoint in each of the different Towns, Ports, Harbours and Settlements in this Island, or in such one or more thereof as he shall think fit and proper, an Inspector or Inspectors who shall be duly sworn to the faithful discharge of the duties enjoined them by this Act, before any Justice of the Peace residing within or near the District for which such Inspector or Inspectors shall be appointed—whose duty it shall be within their several Districts, to inspect all Barrels, half Barrels, and Tierces, as to their being of the size and quality prescribed in the before recited Act; and also to inspect and weigh all Salted or Pickled Fish, made up for sale in any Barrel, half Barrel, or Tierce; and the same in all cases wherein the Fish so-made up shall be found good and merchantable, and of the weight required by Law, after inspection, to brand in plain and legible letters on the head of each and every Cask in which such Fish shall be packed or repacked, the initials of the Christian name or names of the Inspector or Inspectors examining the same, with his or their Surname or Surnames; the year in which they are inspected, at large, and the letters P. E. I., for *Prince Edward Island*, with the addition of the mark “No. 1,” where the Fish on such inspection shall appear of the first or best quality, and the mark “No. 2,” where the Fish shall appear of a second or inferior quality; and all Casks so inspected shall be filled with Fish of one and the same kind and quality; and if any person or persons shall intermix, take out, or replace with Fish of worse quality, any inspected Fish which shall or may be packed in any Barrel, half Barrel, or Tierce, branded as aforesaid, or put therein any other Fish for sale or exportation, contrary to the true intent and meaning of this Act, each and every person so offending shall forfeit and pay the sum of Five Pounds for each and every Barrel, half Barrel,

Lieut. Governor
&c. to appoint
Fish Inspectors
in the different
Towns, Ports,
&c. of this
Island,

to be sworn to
faithful discharge
of their duty.

Duty of Inspectors
so appointed.

Penalty on persons
who shall
intermix, take
out, or replace
Fish inspected
with Fish of a
worse quality,
&c

or Tierce of Fish, that shall or may be so intermixed, or out of which the whole or any part thereof shall or may be taken, or exchanged as aforesaid.

Penalty on Inspectors for corrupt practices in their offices.

Also liable to be removed from office.

Mode of recovery of Penalty.

Appropriation of Penalty.

III. And be it enacted, That if any Inspector or Inspectors of Salted or Pickled Fish shall brand any Barrel, half Barrel, or Tierce, the contents of which shall not have been first inspected and weighed by him or them, according to the true intent and meaning of this Act, or if he or they shall permit any other person or persons to use his or their brands in violation or evasion of this Act, or if he or they shall brand, or cause, or shall knowingly suffer to be branded, any Barrel, half Barrel, or Tierce, before the Fish shall have been packed therein, each and every Inspector so offending, shall forfeit and pay the sum of Two Pounds Currency for every Barrel, half Barrel, or Tierce so branded, and shall also be liable to be removed from office; the said Fine to be recovered before any one or more of Her Majesty's Justices of the Peace, together with the costs of prosecution, on the Oath or Oaths of one or more credible Witness or Witnesses, by any person who shall sue for the same, and shall and may be levied by Warrant of Distress, under the Hand and Seal, or Hands and Seals of such Justice or Justices, and sale of the Offender's Goods and Chattels, and shall be paid and applied, one half to the person who shall sue for the same, and the other half into the Treasury of this Island, to and for the use of Her Majesty's Government.

Penalty on persons counterfeiting Inspector's Brands, and mode of recovery.

IV. And be it enacted, That if any person or persons shall be found guilty of counterfeiting any Inspector's Brand or Mark, or who shall use the same with intention to evade the provisions of this Act, each and every such person shall be liable to pay a Fine or Penalty of Ten Pounds for every such offence, to be recovered as hereinafter directed.

V. And be it enacted, That in all cases where the person or persons employing any Inspector shall neglect or refuse to furnish such assistance as may be necessary to enable the said Inspector to weigh and pack at least Twenty Barrels of Fish per day, it shall and may be lawful for the said Inspector to employ such person or persons as he may require, to weigh and pack such Fish, for which he shall be entitled to receive from the person or persons who shall employ him, over and above the charge for Inspection, the sum of Five-pence per Barrel, for every Barrel so imported, and a proportionate rate for half Barrels and Tierces.

Persons employ-
ing Inspectors
and neglecting to
furnish assis-
tance to pack
fish, Inspector
may employ suffi-
cient assistance,
and charge 5d.
per barrel
therefor.

VI. And be it enacted, That if any person or persons shall import or bring into this Island for sale, any Pickled Fish in Casks, which shall not be duly weighed, inspected and branded, in manner required by this Act, before the same shall be offered or exposed for sale, or if any Master of a Vessel, or other person shall put or receive on board any Vessel or Vessels any Pickled Fish, for the purpose of exporting the same from this Colony, either in Barrels, half Barrels, or Tierces, or otherwise, which shall not have been duly inspected and branded as aforesaid, except as hereinafter mentioned, each and every person, on conviction thereof, shall forfeit and pay for each and every Barrel, half Barrel, or Tierce of such Fish so imported and exposed or offered for Sale, or so shipped or received on board for exportation, in manner aforesaid, and which shall not have been inspected as aforesaid, not less than Five Shillings, nor more than Twenty Shillings; and if any person or persons shall sell, or offer or expose for sale within this Island, or export or cause to be exported from the same, except as is herein-after mentioned, any tainted or damaged Salted or Pickled Fish, every such person, on conviction thereof, shall forfeit and pay for each and every Barrel, half Barrel, or Tierce that shall be so sold or exported, the sum

Penalty on Im-
porters of pickled
fish who shall
offer the same for
sale before In-
spection under
this Act, and
also on Masters
of Vessels who
shall receive on
board for expor-
tation pickled
fish, not in-
spected, &c.

Penalty on per-
sons offering for
sale or exporting
damaged or
tainted fish.

Not to extend to prevent persons from selling to the extent of 5 barrels without inspection, to parties purchasing for their own consumption.

of Ten Shillings, to be recovered in the manner herein after directed: Provided always, that where any person shall be desirous of purchasing any quantity of Pickled or Salted Fish, being the catch of this Island, not exceeding Five Barrels, with the *bona fide* intention of using or consuming the same within this Island, nothing in this Act contained shall be deemed or construed to extend to prevent any person or persons who shall have cured or caught such Fish, from selling or offering for sale to any such purchaser, any quantity not exceeding the aforesaid number of Five Barrels, to be used or consumed in manner aforesaid, although the same be not inspected or branded, but that in every such sale the Vender or Owner of the Fish shall be responsible for the soundness and wholesomeness thereof in like manner, as if the said Vender or Owner had expressly warranted the same.

Fish condemned by Inspector to be destroyed.

VII. And be it enacted, That when any Pickled Fish upon the inspection thereof, shall not be found Merchantable, such Fish shall be condemned, and the same shall become forfeited, and shall be wholly destroyed by the Inspector who may have condemned the same.

Not to prevent fish imported and proving unsound to be re-shipped by Consignee, &c. upon bond being given to Inspector, &c.

VIII. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to prevent any Pickled Fish which shall hereafter be imported into this Island from any other Province or Country, and which, upon inspection, shall prove to be unsound, from being re-shipped by the Consignee or Consignees, Owner or Owners thereof, without the same being branded or marked in this Island, if such Consignee or Consignees, Owner or Owners, shall, and do within Forty-eight hours after the same shall have been inspected, execute to the Inspector thereof, a Bond with sufficient Surety or Sureties that the whole of the said Fish so inspected and found to be un-

sound, shall be returned to the Port or Place from whence they were imported—the Penalty therein to be inserted, to be determined by the number of Barrels, half Barrels, and Tierces of Fish so found to be unsound, at and after the rate of Thirty Shillings for each and every such Barrel, half Barrel, or Tierce, and which Bond shall be in the Form set forth in the Schedule to this Act annexed, marked (A), and also pay to the said Inspector the sum of Four-pence for each and every Barrel, half Barrel and Tierce of unsound Fish, for his trouble in examining the same, besides a fee of Three shillings for the said Bond, and in all such cases where a Bond shall have been given to any Fish Inspector as aforesaid, the Consignee or Consignees, Owner or Owners of the Fish, for the re-shipment and return of which the Bond is given, shall deliver or cause to be delivered to the said Inspector within Nine Months from the date of the said Bond an Affidavit made by such Consignee or Consignees, Owner or Owners, or other credible person or persons, and duly sworn before and attested by a Justice of the Peace for any County in this Island that the whole of the Fish mentioned in such Bond had been re-shipped, and that the vessel with the same on board had duly cleared and sailed, or was about to sail from this Island for the Port or Place from whence such Fish was originally imported, and which shall be in the form prescribed in the Schedule to this Act annexed, marked (B); and in default of such Affidavit being made and delivered to the said Inspector, or his successor in office, within such period as aforesaid from the date of the Bond, then and in every such case the said Inspector, or his successor in office, is hereby authorized and required, upon the expiration of the said Nine Months, unless the sum secured by the said Bond shall have been previously paid to him, to sue for and recover the same as herein after directed.

Penalty in Bond.

Bond to be according to form in Schedule.

Fee to Inspector for taking Bond.

Within 9 months after re-shipment Consignee to produce Affidavit on which Bond may be discharged.

Form of Affidavit in Schedule.

Unless Affidavit be produced within 9 months, Bond to be sued for by Inspector.

IX. Provided always, and be it further enacted, That if any person or persons in making any such

Punishment on persons making false Affidavits.

Affidavit as aforesaid, before a Justice of the Peace, shall forswear himself or themselves, and be thereof duly convicted, such person or persons shall be liable to the same penalties as if the said Oath had been voluntarily and corruptly made in a Cause depending in any of the Courts of Record in this Island.

Allowance to Inspector for inspecting, branding, &c.

X. And be it enacted, That for every Barrel of Fish inspected, weighed and branded by any Inspector appointed by virtue of this Act the sum of Eight-pence, and for every Barrel of Fish which shall be inspected only, the sum of Four-pence shall be paid to such Inspector by the person or persons for whom he inspects or brands the same, and the same in proportion for half Barrels and Tierces.

No Inspector to brand his own fish.

XI. And be it enacted, that it shall not be lawful for any Inspector to inspect or brand his own Fish, either for Exportation or Home consumption; and every such Inspector so inspecting or branding his own Fish, shall be subject and liable to the same penalties and forfeitures on the sale or exportation thereof, as if such Fish had not been inspected and branded, to be recovered and applied in way and manner pointed out in the Third Section of this Act.

Penalty on Inspector so doing.

Mode of recovery of penalties imposed by this Act, except those imposed by 3.1 and 11th sections.

XII. And be it enacted, That all Fines, Penalties and Forfeitures by this Act incurred, except under the Third and Eleventh Sections thereof, if not exceeding Five Pounds, exclusive of costs, shall be sued for and recovered by any of the Inspectors appointed as aforesaid before any one or more of Her Majesty's Justices of the Peace, within or near the District or place for which such Inspector shall have been appointed, by distress and sale of the Goods and Chattels of the Offender or Offenders, and if above Five Pounds, shall be recovered together with costs, at the suit of any such Inspector by action in her Majesty's Supreme Court

of Judicature of this Island, which Fines, Penalties and Forfeitures not hereinbefore specially appropriated, shall be paid and applied, one half into the Treasury of this Island, to and for the use of Her Majesty's Government, and the other half to the Inspector who shall sue for the same: Provided that all offences committed against the provisions of this Act shall be prosecuted within Three Months after the time the offence shall have been committed.

All penalties to be sued for within 3 months after offence committed.

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

Continuance of Act.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Form of Bond.

Form of Bond.

KNOW all Men by these presents, that we
 are held and firmly bound
 unto Inspector of Fish or to
 his Successor in office, for which payment we hereby
 jointly and severally bind ourselves, our Heirs Ex-
 ecutors and Administrators. Sealed with our seals
 and dated this day of 18
 Whereas Barrels, (or half Barrels, or
 Tierces, as the case may be,) of Pickled Fish have
 recently been imported per from
 into in the said Island, and which upon in-
 spection by the above named have
 been found to be unsound. Now the condition of
 this obligation is such, that if the whole of the said
 Fish shall be re-shipped within Nine Months from
 the date hereof, and conveyed back to the said
 (the act of God only excepted,) then the above ob-
 ligation shall be void, otherwise shall remain in
 force.

Signed, sealed and delivered }
 in the presence of }

CAP. V.

An Act to enable the Government to ascertain the
POPULATION of this Colony, and to obtain other
Statistical information therein mentioned.

[Passed April 29th, 1841.]

Lieut. Governor
&c. to appoint
one person in
each Highway
District to ascer-
tain the number
of persons therein
resident.

BE it enacted, by the Lieutenant Governor,
Council and Assembly, That it shall and may
be lawful for the Lieutenant Governor, or other
Administrator of the Government for the time
being, to appoint one fit and proper person for each
and every of the several Districts of the Commis-
sioners of Highways, into which this Island is divi-
ded, to inquire into and ascertain the number of
Persons residing within the said Districts, and for
other purposes hereinafter mentioned.

Further duty of
persons so ap-
pointed.

II. And be it enacted, That it shall and may be
lawful for the persons so appointed, and they are
hereby required, to visit every House within the
several Districts for which they shall have been res-
pectively appointed, and to require of all persons
such information as may be necessary for filling up
accurately the several columns in their Returns,
according to the Form or Schedule to this Act an-
nexed.

Penalty on per-
sons refusing to
answer or know-
ingly answering
falsely to
questions put to
them under pro-
visions of this
Act by persons
so appointed.

III. And be it enacted, That every person who
shall refuse to answer, or shall knowingly answer
falsely, to any question put by the person so ap-
pointed for the purpose of obtaining the information
aforesaid, shall incur a Penalty of Twenty Shillings
for each and every offence—which shall be reco-
verable before any one of Her Majesty's Justices
of the Peace, on the Oath or Oaths of one or more
credible Witness or Witnesses; and in default of
payment thereof, when directed by the said Justice,
the same to be recovered by Warrant of Distress
and Sale of the Offender's Goods and Chattels;

Mode of recovery
of penalty.

and in case no Goods or Chattels shall be found whereon to levy, then the said Justice shall commit the Delinquent to the nearest Jail, there to remain for a time not exceeding Ten days.

IV. And be it enacted, That each and every person to be appointed for carrying into effect the intentions of this Act, shall visit every Dwelling House within his District, and shall make Returns on Oath of his actings and doings thereunder, to the Administrator of the Government, in Council, on or before the First day of August next; and if any person so appointed as aforesaid, shall knowingly make a false entry, or any Return other than he ought to have made, from actual information received at each Dwelling House within his District, he shall be liable to a Penalty of Ten Pounds, to be recovered in Her Majesty's Supreme Court of Judicature, by Bill, Plaint or Information.

Further duty of persons so appointed.

Penalty on person so appointed for false entry or return.

Mode of recovery thereof.

V. And be it enacted, That all Fines and Penalties arising under and by virtue of this Act, shall be paid into the Treasury of this Island, to and for the use of the Government thereof.

Appropriation of penalties.

VI. And be it enacted, That it shall be the duty of the several Officers to be appointed by virtue of this Act, and they are hereby required to insert within the Column entitled "General Remarks," such matters of information as the following, videlicet:—the quality of Land in general in each Township; the advantages or disadvantages of each Township, with regard to Roads or Water communication; the Market or Markets most generally resorted to by the Inhabitants of each Settlement for the disposal of surplus Produce; and, the proximity of such Market or Markets to each Settlement.

Further duty of persons so appointed.

VII. And be it enacted, That there shall be granted and paid to each and every of the said Of-

Remuneration to persons so appointed.

fficers so to be appointed as aforesaid, for their services in taking the Census as required by this Act, the sum of Ten Shillings for every One hundred persons within his District, and in that proportion for any less number; and the sum of Twenty Shillings, as travelling charges to and throughout each and every Township, and every Town and Royalty; and a proportional part of that sum for any extent of Land less than a Township within his District, the several amounts as they become due to each of the said Officers to be paid out of the Treasury of this Island, by Warrant under the Hand and Seal of the Administrator of the Government for the time being.

SCHEDULE to which this Act refers.

Name of Township, Town, or Royalty.	
Name of the head of each Family.	
Trade or Occupation.	
Under 16 years of age.	MALES.
From 16 to 45.	
From 45 to 60.	
Upwards of 60.	
Under 16 years of age.	FEMALES.
From 16 to 45.	
From 45 to 60.	
Upwards of 60.	
Number of Deaf and Dumb in each family.	
Number of Blind in each family.	
Number of Insane in each family.	
Total number in each family (including Servants and Apprentices.)	

Number of persons in each family, in connexion with the Church of England.	
Number of persons in each family, in connexion with the Church of Scotland.	
Number of persons in each family being Presbyterians, in connexion with the Presbytery of P. E. Island.	
Number of Roman Catholics in each family.	
Number of Methodists in each family.	
Number of Baptists in each family.	
Number of persons in each family, of any other denomination.	
Number of acres held by each family in fee simple.	
Number of acres of Land held by each family by Leasehold.	
Number of acres held by each family by written demises.	
Number of acres held by each family by verbal Agreements.	
Number of acres held by each family as Occupants, being neither Freeholders or Tenants.	
Number of years of term of Lease expired.	
Number of years of term of Lease.	
Present Rent paid by each Family per acre.	AMOUNT OF RENT PAID BY EACH FAMILY.
Increasing Rent per acre.	
Full Rent, and what year it comes to full rent.	
Rent in Sterling	
Rent in Currency.	
If 1st best quality.	QUANTITY OF LAND.
If 2d best quality.	
If 3rd best quality.	
Number of persons whose passage was paid by Proprietors, and date of their arrival in this Colony, and age of such person on his arrival.	
Number of persons who repaid their passage money to the Proprietors or their Agents.	

Number of persons who paid their own passages.	
Number of acres of arable Land held by each family.	
Number of Bushels of Wheat.	Produce raised by each Family during the last year.
Number of Bushels Barley.	
Number of Bushels Oats.	
Number of Bushels Potatoes.	
Number of Horses owned by each family	
Number of Neat Cattle owned by each family.	
Number of Sheep owned by each family.	
Number of Hogs owned by each family.	
Number of persons in each family being natives of England.	
Number of persons in each family natives of Scotland.	
Number of persons in each family being natives of Ireland.	
Number of persons in each family being natives of this Island.	
Number of persons in each family being natives of the British Colonies.	
Number of persons in each family being natives of other Countries.	
Number of Churches in every such place.	
Number of Schoolhouses in each Township.	
Number of Brewing and Distilling Establishments in every such place.	
No. of Grist Mills on each Township.	Number of Mills.
No. of Carding Mills on each Township.	
No. of Saw Mills on each Township.	
GENERAL REMARKS.	

CAP. VI.

AN Act relating to Schools, and for the encouragement of Education.

[Passed April 29th, 1841.]

WHEREAS the Act now in force for the encouragement and support of District and other Schools, is about to expire, and it is expedient to make further, and in some respects, other provisions for these purposes: Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That it shall and may be lawful for the Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Council, to nominate and appoint Five fit and proper persons, of whom Three shall be a Quorum, which Five persons so appointed shall constitute a Board of Education, and shall meet Four times in each year, (that is to say)—on the last Thursday in the months of January, April, July and October, respectively, and on such other and further days as the said Board shall deem necessary; and shall give notice of the place and hour of such Quarterly Meetings in the Public Newspapers, at least Thirty days previous to each Meeting.

Board of Education, how constituted, and when to meet.

Board to appoint a Secretary.

Allowance to Secretary and Board.

II. And be it enacted, That the said Board, when so constituted, shall nominate and appoint one of their number as Secretary of the Board; and the said Secretary shall be paid the sum of Fifteen Pounds, annually, for his services, and to reimburse him for Stationary, and other contingent expenses; and each individual of the said Board, exclusive of the Secretary, shall be paid the sum of Four Pounds for his services, subject to the deduction of Twenty Shillings each, for each of the aforesaid Quarterly days they shall be absent.

III. And be it further enacted, That when and so often as any vacancy shall occur in the said Board, by death, removal, or otherwise, it shall and may be lawful for the Administrator of the Government for the time being, by and with the advice as aforesaid, to appoint a fit and proper person to fill up such vacancy.

Vacancies by death, &c. how to be filled up.

IV. And be it enacted, That any person who may be a Candidate for the situation of School-master for any District School in this Island, shall, on one of the days of the said Meeting, or on such other day as any three of the said Board shall appoint, present himself for and submit to an examination of his qualifications in the branches hereinafter mentioned; and if the Board be satisfied with the Candidate's qualifications, they shall give him a Certificate of having passed such Examination.

Candidates for Schools to undergo examination;

V. Provided always, and be it further enacted, That the said Board shall in no case examine or grant a Certificate to any person whomsoever, who shall not have first produced to the said Board a satisfactory Certificate of good moral character.

And to produce Certificate of moral character.

VI. And be it enacted, That there shall be in future only two Classes of District School-masters, who shall be licensed by this Act to teach in this Island; that Teachers of the First Class shall possess a competent knowledge of, and be qualified to teach Book-keeping, English Grammar, Reading, Writing, and Arithmetic; that Teachers of the Second Class, in addition to the above qualifications, shall be competent to teach the Latin Language, Geometry, Trigonometry, Mensuration, Land Surveying and Navigation, together with Geography and the use of the Globes—and the Board of Education, after having examined and ascertained the qualifications of such Candidates as may appear before them, shall specify in the Certificate to be given them, to what Class of

To be in future 2 classes of District Schools.

Qualification of 1st or lowest Class Teacher.

Qualification of 2d or highest Class Teacher.

Teachers the said Candidates are duly entitled to belong.

Allowance to Teacher of National School in Charlottetown:

VII. And be it enacted, That the Teacher of the National School in *Charlottetown* shall be entitled to the same amount as is intended to be paid to the First Class Teachers, under and by virtue of this Act.

Size, &c. of Schoolhouse under this Act.

VIII. And be it enacted, That every School-house within the meaning of this Act, if erected for, and used as such, before the passing thereof, shall be not less in clear area than one hundred and sixty-eight square feet; and if erected after the passing of this Act, shall not be less in clear area than Two hundred and fifty-six square feet; and every such School-house shall be kept in thorough repair.

No Teacher of 1st or lowest Class to receive any allowance under this Act (except as is provided in 19th and 25th sections,) unless a School-house is provided, &c.

IX. And be it enacted, That no School-master or Teacher of the first or lowest Class shall be entitled to any allowance by virtue of this Act, excepting Teachers mentioned in the Nineteenth and Twenty-fifth sections thereof, unless the inhabitants of the District comprising his School shall have first provided a sufficient School-house, to be exclusively used for that purpose; except as is hereinafter provided in and by the Thirteenth Section of this Act; and also, that he shall have had under his tuition the number of Twenty Scholars, during the space of Twelve Months immediately preceding the period of his claiming such allowance, or where in default of such number of Scholars, the amount of tuition money raised by subscription, and the amount assessed on the inhabitants, shall together amount at least to Twenty Pounds, exclusive of Boarding and Lodging.

Allowance to be paid by Inhabitants to 1st or lowest Class Teacher.

Restrictions under which 2d or highest Class Teachers

X. And be it enacted, That no Schoolmaster of the Second or highest Class of Teachers, shall be entitled to receive any allowance under and by virtue of this Act, unless the Inhabitants of the

District comprising his School shall have provided a sufficient School-house; and that he shall have had under his tuition the number of Twenty Scholars during the period of Twelve Months for which he claims to be entitled to such allowance; or where in default of such number of Scholars, the amount of tuition money raised by subscription, and the amount assessed on the Inhabitants, shall together amount at least to Thirty Pounds, exclusive of Boarding and Lodging.

are to be entitled to allowance under this Act.

XI. And whereas differences of opinion and difficulties may at times arise among the Inhabitants of Districts or Settlements, whereby the sites of School-houses, as well as the extent and boundaries of School Districts, cannot be judiciously chosen and defined: Be it therefore enacted, that it shall and may be lawful for any one of the nearest of Her Majesty's Justices of the Peace, or Commissioners for the recovery of Small Debts, not being parties interested in the expense of such School-house, or of the Salary and support of the Teacher to be employed therein, to fix and define the sites for School-houses, and the extent and boundaries of School Districts; and when and so often as the Inhabitants of any Settlement, Township or District, cannot among themselves agree to any place as most eligible for the site of a School-house, or upon the requisite number of School-houses required by such Inhabitants, or upon the extent of or limits and bounds proper to comprise any School District; and any number of such Inhabitants being Householders, not less than Five, shall make request in writing to any such Justices of the Peace, or Commissioners as aforesaid, it shall be the duty of such Justice or Commissioner to attend at such place, and there personally to make such inquiry, in such manner, and to such extent, as to him shall be deemed requisite; and thereupon to fix and determine on the proper and

Mode of defining bounds of School Districts.

Also the sites and numbers thereof.

most eligible site or sites of such School-house or School-houses, and the proper limits and boundaries to the District or Districts thereof; and his decision thereon, made in writing, under his hand, and returned to the Secretary of the Board of Education, shall be conclusive, unless the Inhabitants of the District comprising such School or Schools, and being interested therein, shall unanimously agree to alter or vary the same.

Allowance to Justice of the Peace for defining bounds of Districts, &c.

XII. And be it enacted, That every Justice of the Peace, or Commissioner who shall be applied to for the purpose or purposes in the preceding clause mentioned, shall be entitled to demand and receive of the applicants, for his trouble, the sum of Eight-pence per mile for each mile travelled, to and throughout such School District; and the sum of Five Shillings for his decision in writing, and transmitting the same to the said Secretary of the Board of Education.

Schoolhouse may be used as a place of Public Worship, or for holding any lawful public Meeting, with the consent of majority of Trustees.

XIII. And be it enacted, That any such School-house as aforesaid, may be used as a place of public Worship, or for any other lawful public meeting, by and with the consent of the majority of the Trustees thereof, when the same shall not interfere with the teaching of the Scholars therein, as is contemplated by this Act.

Inhabitants to appoint 5 Trustees, three to be a quorum.

Duties of Trustees.

XIV. And be it enacted, That the Inhabitants of any School District within this Island, who shall have provided the School-house as aforesaid, shall and may, and they are hereby required, to nominate and appoint Five Trustees, three of whom shall be a Quorum, whose duty it shall be to examine the said School quarterly, and inquire into the order, and direct the discipline and regulation of such School, and give to such Licensed Teacher who has had the management thereof the necessary Certificates required by this Act.

XV. And be it enacted, That when and so often as it shall happen that in any Settlement, Township or District wherein no School shall at any time have been kept, or wherein the public School or Schools established in such Settlement, Township or District, shall have ceased to be kept and taught for the space of Twelve Months, and the Inhabitants thereof shall neglect to nominate and appoint Trustees for the establishment of or continuance of a School or Schools, as prescribed by this Act, it shall be the duty of the Visiter of Schools, and he is hereby required, to attend at some public place, in such Settlement, Township or District, after having caused notice to be posted up in three of the most public places within such School District, at least Six days previous to the meeting of such Inhabitants, stating the time and place and purpose of his attendance, and then and there to take the names of such five, and any additional like number of Persons as shall be elected by the said interested Inhabitants, then and there attending as Trustees of a School or Schools to be kept therein; and in case any District for which such Trustees shall be so elected as aforesaid, shall have no School-house situate therein, then such Trustees shall cause a sufficient School-house to be erected and completed for the District for which they shall be so elected as aforesaid; and such Trustees shall be and they are hereby further empowered and directed to assess the costs and expense of erecting such School-house upon such District, and to apportion such costs and expenses upon the respective Inhabitants of such District, being Householders, and having a Child or Children between the ages of Seven and Fourteen years—regard being had to the amount of property and number of Children of such inhabitants as such Trustees shall in their discretion think just and reasonable: Provided, that no one Inhabitant shall be assessed in any sum exceeding Forty Shillings for the cost and expense of erecting any such

In any District where a School has ceased to be kept for 12 months, or where no School has at any time been kept, and Inhabitants neglect to appoint Trustees, Visiter of Schools to call a Meeting of Inhabitants.

Notice to be given of such Meeting.

Duty of Visiter at such Meeting.

Trustees appointed at such Meeting may assess Inhabitants for the erection of a Schoolhouse.

Assessment for this purpose not to exceed £2 on any one Inhabitant.

Mode of recovery
of Assessment.

Duties and
powers of Trus-
tees so
appointed.

Two Trustees
first nominated
to go out of office
in rotation
annually.

Others how to be
appointed.

How to be ap-
pointed if Inha-
bitants neglect to
appoint.

Further duties of
Trustees.

School-house; and such Assessment shall be recoverable in like manner as is expressed in the Seventeenth Section of this Act; and such Trustees shall also have such further powers, and be liable to such further duties and offices, in all respects as other Trustees appointed under and by virtue of this Act.

XVI. And be it enacted, That two of the Trustees of every School appointed in pursuance of this Act, shall in rotation go out of office in each year, commencing with the two Members first nominated and appointed; and the Inhabitants of the District comprising such School for which they shall have been appointed, shall, from time to time, appoint others in their stead, having the like powers and authority: Provided, that in case such Inhabitants shall neglect to elect two Trustees in the room of such Trustees so to go out of office as aforesaid, then and in that case such Trustees shall not go out, but continue in office until others shall be elected in their place.

XVII. And be it enacted, That in all cases when the Trustees of any School shall enter into an agreement with the Subscribers to the School, on behalf of the Master, they are hereby empowered, either in their own names, or in the name of such one or more of them, or of such other person as a majority of them shall appoint, to sue for and recover in the Supreme Court of Judicature, such sum or sums, being above Five Pounds, as the said Subscribers shall be liable for by virtue of such agreement; and when such sum shall be beneath or not exceeding Five Pounds, and the same shall not be paid within Ten days after a demand thereof made upon or at the residence of the Debtor, and after an order for payment thereof made in writing, under the hands of a majority of said Trustees, and produced to the said Debtor, or after the said order, or a copy thereof, shall have been left at his Dwelling House, that then, and in every such

case, the said Trustees, or any one or more of them, or such other person as the majority of them may appoint, may sue and prosecute the said Debtor before any one or more of Her Majesty's Justices of the Peace, or Commissioners of Small Debts, residing within the County where such Debtor may live: Provided, that the party Defendant shall be entitled to an Appeal, as is regulated by the Thirteenth Section of an Act passed in the Second Year of the Reign of King *William* the Fourth, Chapter the First.

XVIII. And be it enacted, That a majority of the Trustees of any District School so appointed as aforesaid, may, and they are hereby empowered, whenever occasion may require, to assess the Subscribers and persons interested in such Schools in just proportions, for the necessary repairs and supply of fuel which may be required for such Schools; and such Assessments shall be recoverable with Costs, before any Commissioner for the recovery of Small Debts, by and in the name of any one Trustee authorized by a majority of such Trustees; and such Assessments, when recovered, shall be applied for the purposes for which the same shall be levied.

Trustees may assess Inhabitants for repairs of Schoolhouses and for fuel.

Mode of recovery of such Assessment.

XIX. And whereas it sometimes happens that certain Inhabitants of School Districts in this Island, although having children of between the ages of Seven and Fourteen years, and being in circumstances of sufficient ability to afford some one or more of such their children considerable advancement in education, nevertheless refuse to contribute any amount towards the support or establishment of any School, or to the erection of any Schoolhouse for such purpose, by which means the remaining Inhabitants of the same Settlement, Township or District otherwise inclined, are not of themselves numerous enough for the support of a School: Be it therefore enacted, That in all School

Two thirds of Inhabitants of any School District may assess remaining one third for the support of a Teacher of either Class.

Districts, where the Boundaries thereof shall be defined under the provisions of this Act, or distinguished and agreed to by the mutual consent of the Inhabitants within the same, such Inhabitants being not less than Ten in number, and being persons having within their families respectively any child or children between the ages of Seven and Fourteen years, when and so often as two thirds in number at least of such Inhabitants shall subscribe for and send from among themselves the number of Twenty Scholars to any School within the same, or shall raise and subscribe two-thirds at least of the amount of Salary agreed to be received by a Teacher of either class, for the tuition of at least Twenty Scholars; and also, when and so often as a like proportion of such Inhabitants shall raise and subscribe two-thirds at least of any amount by them estimated or expended in the erection of a sufficient Schoolhouse for the District wherein they reside, that then, and in every such case, such proportion of Inhabitants are hereby empowered to assess the remaining part of such Inhabitants to the extent or amount of one-third, or any less part of such third not voluntarily subscribed, of the yearly salary or tuition money agreed to be received by such Master, or to the extent of the remaining one third, or any less part thereof not subscribed, of the amount estimated or expended in the erection of any School-house as aforesaid, in case such Schoolhouse shall be required, the said third or less part thereof to be apportioned and levied on the respective Inhabitants so to be assessed as aforesaid, in such proportion as, according to the number of his or her children, and ability in circumstances, such other two-thirds or more Subscribers of such Inhabitants may deem just and equitable: Provided always, that the sum to be assessed upon any one Inhabitant in any one year toward the yearly salary of any Master, shall not exceed the amount of tuition money actually payable by such Inhabitant for his child or children,

Limits amount so to be assessed.

being between the age of Seven and Fourteen years, and at the time of the imposing of such Assessment actually going to any other School; and after Six days notice shall be posted up at three public places at the least, within such School District, specifying the time and place, and purpose of a Meeting of such Inhabitants, when they shall proceed in order to apportion and levy such Assessment; and if any person so assessed shall, on demand made by the Trustees of the School for such District, or by such person as they, or the majority of them shall appoint, refuse or neglect to pay the amount so assessed upon him or her as aforesaid, for the space of Ten days from the time of making such demand, then it shall and may be recovered before such Commissioners, and in like manner, and subject to such forms and proceedings as Small Debts now are and may be recovered, and in the name of the Trustees of the School for such District, or of a majority of such Trustees, or in the name of any person appointed for that purpose by such majority.

Mode of recovery
of Assessment.

XX. And whereas there are certain Settlements situate in remote parts of the Island, and containing but few Inhabitants, who by the foregoing provisions of this Act would be excluded the benefits thereof: Be it therefore enacted, that when in any remote Settlement of this Island the respective Inhabitants thereof being at the extremes within three miles of one another, and not within one and a half mile of any established School, within the foregoing provisions of this Act, and the children of whom being between the ages of Seven and Fourteen years, together shall not amount to twenty in number, the Master of any School taught therein shall be allowed, per year, at and after the rate of Eight shillings for every Scholar by him taught in such School: Provided always, that no allowance to any Master within the meaning of this Clause shall be paid, unless it shall appear to the Secre-

In remote Districts where Inhabitants do not reside within 3 miles of each other, &c., or where the number of Scholars shall not amount to 20, 8s. per Scholar to be paid to Teacher under this Act.

Such allowance not to be paid until certain requisites be first complied with.

tary of the said Board of Education, upon the Affidavit of some one or more of the subscribers to the salary of such Master, subscribed and sworn before some one of Her Majesty's Justices of the Peace for any County of this Island, that such Master had taught a certain number of Scholars, to be mentioned in such Affidavit, in a good and sufficient Schoolhouse, for the period of the Twelve Months, for which he shall claim to be entitled to such allowance; and also, that within Twenty days after the establishment of any such School, a Certificate in writing, signed by at least three of the subscribers thereto, specifying the local situation of such School, the number of subscribers thereto, the number of Scholars, and the name of the Master engaged therefor, shall have been deposited with the Secretary of the Board of Education.

Disputes between Subscribers to Schools, Trustees of Schools, and Teachers, how to be settled.

XXI. And be it enacted, That in the event of any dispute between any of the Subscribers, or any of the Trustees and the Teacher, as to his conduct as Teacher, the Subscriber or Subscribers, Trustee or Trustees, intending to prosecute such complaint, with the view of removing him from the School before the expiration of his engagement, shall be obliged to lodge in writing with any one or more of the adjacent Magistrates or Commissioners of Small Debts, a statement of such complaint, and at the same time to send a copy thereof to the Teacher; and such Magistrate or Magistrates, Commissioner or Commissioners, may inquire into such complaint, and examine Witnesses on Oath touching the same; and on such complaint being established, a majority of the Trustees or the Subscribers shall and may in their discretion supersede such Teacher, and engage any other in his stead, to whom the Subscribers shall be bound in equal liability as they were to such superseded Teacher, for such term of his agreement as may be unexpired at his discharge; but all such Subscribers shall nevertheless be bound to pay him

the proportion of his salary up to the period of lodging such complaint; and neither such payment made, nor such proceedings taken, shall be deemed to affect any claim in the said Teacher to the residue of such Salary, on any grounds on the part of such Subscribers to resist the payment of the said residue which the parties respectively would have had in Law without the passing of this clause.

XXII. And be it enacted, That each and every licensed Teacher, on depositing, or on their being deposited on his behalf, with the Secretary of the said Board of Education, one part of the original agreement made by him, or on his behalf, with the subscribers, or a true copy thereof attested, on oath, with a Certificate thereon indorsed, or there-to annexed, under the hands of the Trustees of his School, that the provisions of this Act shall have been duly complied with, and also certifying to the good conduct, attention and sobriety of such Master, during the time he shall have kept his School pursuant to such agreement—which conduct shall thereon be also certified by one Justice of the Peace residing near such School—the said Secretary, by and with the concurrence of one other Member of said Board, shall thereupon certify the class to which such Teacher shall belong, and the amount to which, by Law, and as shall satisfactorily appear by such Certificates the said Teacher shall be entitled; and on the production of such Certificate last mentioned, such Teacher shall be entitled to receive from the Treasury of this Island the respective amounts following, (that is to say)—
 Teachers of the First Class the sum of Ten Pounds; and Teachers of the Second Class the sum of Fifteen Pounds—to be paid by Warrant under the Hand and Seal of the Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Council.

Teacher to deposit with Secretary of Board of Education certain documents.

Duty of Secretary thereon.

£10 to be paid from Treasury to Teacher of 1st or lowest Class.

£15 to be paid from Treasury to Teacher of the 2d or highest Class.

XXIII. Provided always, and be it enacted, That the Teacher of one of the District Schools for

£10 to be paid from Treasury annually to

Teacher of one of District Schools in Georgetown, and also to a Teacher of one of the District Schools in Princetown Royalty, over and above said allowance.

Georgetown and Royalty, and the Teacher of one of the District Schools in *Princetown Royalty*, being duly qualified as Second Class Teachers, shall severally be entitled to receive from the Colonial Treasury the sum of Ten Pounds annually, in addition to the allowance to which they may be entitled by the foregoing section of this Act: And provided further, that the several District Schools in the Town and Royalty of *Georgetown* or *Princetown* respectively, towards which any allowance of money shall be granted by virtue of this Act, shall not exceed in either of the said Towns and Royalties the number of Two.

Exempts Teachers from Statute Labour and Militia Duty.

XXIV. And be it enacted, That all Teachers, while conforming to the provisions and requisitions of this Act, shall be exempt from the performance of Statute Labour and Militia duty.

Allowance to Female Teachers,

XXV. And be it enacted, That any Female Teacher who shall qualify for either Class, as directed by this Act, shall be entitled to the allowance herein provided for Male Teachers, subject to all the regulations and provisions contained herein respecting other Schools; and saving always, that Schools taught by Females may be situate in any place, and not be confined to a room used exclusively for that purpose: Provided, that the said School shall be limited to the instruction of Female Scholars, and to that of Boys under the age of Ten years: And provided also, that there shall not be more than two such Schools in *Charlottetown*, to be taught by those who shall first duly qualify for that purpose.

who shall exclusively teach Females or Boys under 10 years of age.

Two only in Charlottetown to receive allowance.

Allowance to French Acadian Teachers.

XXVI. And be it enacted, That every French Acadian Teacher, who shall teach in a School the children of that class of the Inhabitants of this Island, on his producing, or there being produced on his behalf, the Certificates herein-before required, as to his moral character, and of his having taught Twenty Scholars for Twelve Months, in a

suitable building, shall be entitled to the sum of Five Pounds, payable in manner aforesaid, out of the Treasury of this Island, although such Teacher may not have passed the said Board of Education, as duly qualified in other respects required by the foregoing provisions of this Act.

XXVII. And be it enacted, That in all cases where the Schoolmaster and Trustees of any School shall not otherwise mutually determine and agree, the vacations of such School shall be three in number in each year and at the respective periods following: (that is to say)—the first for one week, commencing on the First Monday in June; the second also for one week, commencing on the Second Monday in October; and the last from the Twenty-fourth day of December to the First day of January following, both inclusive; and no deduction shall be made from the Salary agreed to be paid to such Schoolmaster, nor any time added to the period of his service, on account of such vacations being allowed.

School Vacations.

XXVIII. And be it enacted, That during the continuance of this Act, each District Schoolmaster receiving the benefit of this Act shall always teach gratis, four pupils, who are to be chosen from time to time by a majority of the Trustees of each respective District School; and such last mentioned Scholars shall be so taught for a period not exceeding Two years each.

Each District Teacher to instruct 4 pupils gratis for 2 years.

XXIX. And be it enacted, That all Schoolmasters who have not been out of employment as Teachers for the space of Two years at the passing of this Act, and who have received Certificates of qualification from the Board of Education, constituted by virtue of an Act passed in the Seventh year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the encouragement and support of District and other*

Teachers under former School Act not out of employment for 2 years need not qualify under this Act.

Schools, and to repeal the Act formerly passed for that purpose, shall be deemed qualified for the classes for which they may have respectively been admitted by the said Board; and all such of the said Teachers as shall be engaged under any agreement for the teaching of a School entered into since the passing of the said recited Act, and which agreement shall be subsisting at the period of the passing of this Act, shall be entitled to the same allowance from the Treasury of this Island by virtue of said agreements as they respectively would if the said recited Act had continued in force until the execution and completion of such agreements—any thing in this Act contained to the contrary thereof notwithstanding.

Agreements with Teachers under former Act unexpired at the passing of this Act, still to remain in force, and allowance under such agreement to be paid to them.

Visitor of Schools to be appointed annually.

Duty of Visitor.

XXX. And be it enacted, That it shall and may be lawful for the Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Council, to nominate and appoint annually One fit and proper person, whose duty it shall be to visit and examine Three times in each year the different District Schools throughout the Island; and who shall have power to call meetings of the respective Trustees connected with such Schools; and such Visitor shall make a Report of each visit to the Board of Education, of the state of each School, stating the method practised, the number of Scholars, the proficiency generally made by the Scholars, state and description of School-houses, and such other information as he may see it necessary to give, or that any branch of the Legislature may require; and such Reports shall be published in the *Royal Gazette* and *Colonial Herald*, Newspapers, and be laid before the Legislature within Fourteen days next after the opening of each Session; and such Visitor shall be allowed and paid the sum of One hundred Pounds per annum for his services—to be paid quarterly—the same to be drawn for by Warrant, under the hand and seal of the Administrator of the Government

Allowance to be paid Visitor.
How paid.

for the time being, upon the Treasurer of this Island.

XXXI. And be it further enacted, That the sum of Seventy-five Pounds per annum shall be paid during the continuance of this Act to the Trustees of Saint Andrew's College, for the use and benefit of that Institution.

£75 per annum to be paid to Trustees of St. Andrew's College.

XXXII. And be it enacted, That every Teacher who shall produce a certificate from the Trustees of his School, or any Justice of the Peace, or Commissioner of Small Debts, that he had under his tuition any pupil, the child of Micmac Indian parents, and had provided him, or her, with the necessary Stationary for a period of at least Six months, shall be entitled to receive at the Treasury of this Island the sum of Thirty Shillings, including the price of Stationary, and a like sum for every period of Six months he may have had such pupil under his tuition.

Allowance to Teacher instructing children of Micmac Indians.

XXXIII. And be it enacted, That the allowance to Teachers in the Town of Charlottetown under the operation of this Act, shall extend to the four first established Schools, and no more, exclusive of the National School and Schools taught by females.

Allowance under this Act only to extend to the 4 first established Schools in Charlottetown, exclusive of National School and Female Schools.

XXXIV. And be it enacted, That this Act shall be and continue in force for and during the space of Two years, and from thence to the end of the then next Session of the General Assembly, and no longer.

Continuance of Act.

CAP. VII.

AN Act to amend the Act relating to Weights and Measures.

[Passed April 29th, 1811.]

WHEREAS the Second Section of an Act passed in the Third year of the Reign of his late Majesty King William the Fourth, intituled "An Act to repeal an Act made and passed in the Thirty-fifth year of the Reign of His late Majesty King George the Third, intituled *An Act for ascertaining the Standard of Weights and Measures in this Island, and to make other provisions in lieu thereof,*" requires to be amended, in as much as it does not provide for the appointment of more than one person to act as Assayer of Weights and Measures in Queen's County: And whereas it is necessary to increase the number of those officers in the said County, as well as in Prince and King's Counties: Be it enacted, by the Lieutenant Governor, Council and Assembly, that when and so often as Fifteen Householders of any Settlement of this Island, shall make application in writing, to the Lieutenant Governor, or other Administrator of the Government for the time being, requesting the appointment of a person to act as Assayer of Weights and Measures for such Settlement, that it shall and may be lawful to and for the Lieutenant Governor, or other Administrator of the Government for the time being, to nominate and appoint a fit and proper person to be Assayer of Weights and Measures for such Settlement, who shall be duly sworn to the faithful discharge of his duty, and who, when and so soon as furnished and provided by and at the costs and charges of those persons who shall have applied for such appointment, with the necessary Standard of Measures, and likewise with that of Weights when required, shall have and exercise the like powers and autho-

On request of 15 householders of any settlement Lieut. Governor, &c. to appoint a person Assayer of Weights and Measures for such settlement.

Assayer to be sworn to the faithful discharge of his duty, and to be furnished with Standard Weights and Measures, at the cost of the persons applying for his appointment.

rities in Assaying Measures when' so provided with a Standard thereof; and also the like powers and authorities of Assaying Weights when so provided with a Standard thereof, as those officers already appointed, and to be appointed by virtue of the above recited Act.

Power and duty of Assayers so appointed.

II. And whereas the Standard to be used in the measurement of Potatoes, Turnips or other Agricultural produce, or other matter usually sold by heaped measure, exported from this Island, and as defined by the Eighth Section of the said recited Act, is deemed too small to be just and equitable, and it is expedient to enlarge the same: Be it therefore enacted, that the said Eighth Section of the said recited Act, shall be, and the same is hereby repealed.

Repeals 8th Section of Act of the 3d Will. 4th, cap. 19.

III. And be it enacted, That from and after the passing hereof, no person being in the command or charge of any Vessel loading with Agricultural Produce, to be exported from this Island, shall, except as in the Ninth Section of the above recited Act is provided, take or receive any such Agricultural Produce on board of any Vessel as aforesaid, without having first measured the same, in a Measure regularly stamped and assayed by an Assayer of Weights and Measures within this Island; which said Measure when intended for Potatoes or Turnips, or other such matter, shall be of a cylindrical form, and of capacity to contain exactly Five Winchester half-bushels, struck or water-measure (level with the brim), which shall be deemed and taken as four half-bushels heaped measure; and such Measure so to be stamped and assayed shall not exceed Nineteen inches in diameter at the brim. And the Measure for all kinds of Grain shall be agreeable to the present Standard; and any Master or other person having charge of a Vessel receiving Agricultural Produce as aforesaid, without having constantly on board the herein-before

Persons in command of Vessels loading with produce to be furnished with stamped Measures at their own cost.

Description of such Measures.

Penalty on Masters of Vessels receiving produce without being measured in such Measures.

Mode of recovery thereof.

directed Measure, shall, on proof thereof, before any of Her Majesty's Justices of the Peace for this Island, forfeit and pay for every such offence, the sum of Twenty Shillings, with costs, to be levied by Warrant of Distress, and sale of the Offender's Goods and Chattels; and in case of no Goods or Chattels whereon to levy, the said Offender shall be imprisoned for Six days in the Common Jail within the County wherein such offence shall have been committed.

Fee to Assayer for stamping 2 bushel Measure.

IV. And be it enacted, That the Assayers of Weights and Measures to be appointed under and by virtue of this Act, for assaying and stamping every such Two-bushel Measure, shall be entitled to receive the sum of One Shilling and six-pence; any thing in the above recited Act to the contrary notwithstanding.

CAP. VIII.

AN Act to authorize the appointment of Coroners in Prince and King's Counties.

[Passed April 29th, 1841.]

WHEREAS from the increase of Population in this Island, it is deemed necessary that a Coroner be appointed for each of the Counties of *King's* and *Prince* Counties respectively: Be it enacted, by the Lieutenant Governor, Council and Assembly, That it shall and may be lawful for Her Majesty, or the Administrator of the Government for the time being, to appoint a Coroner in and for each of the Counties of *King's* and *Prince* Counties respectively, and which Coroners when so appointed, shall reside within their respective Counties, and shall be entitled to all and singular the Fees, Perquisites and Emoluments of right belonging to the said office of Coroner.

Her Majesty or Lieut. Governor may appoint Coroners for King's & Prince Counties.

II. And be it enacted, That there shall be paid to *Daniel Hodgson, Esquire*, the Officer now holding the Office of Coroner for the whole Island, the sum of Thirty Pounds, as a compensation in full for the loss of the Emoluments of his office by the appointment of Coroners for Prince and King's Counties.

Compensation to officer holding Patent as Coroner for the whole Island.

III. And be it enacted, That when and so soon as Coroners shall be appointed for the Counties of Prince County and King's County respectively, as aforesaid, the authority and jurisdiction of the Officer holding the office of Coroner of this Island shall be confined to the County of Queen's County —any law, usage, custom or patent of office to the contrary notwithstanding.

When Coroners are appointed for King's & Prince Counties, the authority of officer holding Patent for the whole Island to cease in those Counties, and to be confined to Queen's County.

IV. And be it further enacted, That nothing herein contained shall have any force or effect until Her Majesty's pleasure therein shall be known.

Suspending Clause.

CAP. IX.

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.

[Passed April 29th, 1841.]

BE it enacted, by the Lieutenant Governor, Council and Assembly, That from and after the passing hereof, it shall not be lawful for any person or persons under any pretence whatsoever to Bury any human body within the limits of the Town of *Georgetown*.

Prohibits the interment of human bodies within the limits of Georgetown.

II. And be it enacted, That every person who shall bury, or cause to be buried, or who shall aid or assist in burying any such body or bodies within the limits of the said Town, shall be liable to a fine

Penalty on persons aiding or assisting in interring human bodies within said Town.

Mode of recovery
of penalty.

Appropriation of
penalty.

Any Justice of
Peace may order
the disinterment
of any human
body buried in
said Town.

Costs and
expenses of dis-
interment, how
recovered.

Appropriates a
tract of land in
Common of

of Five Pounds and costs, and also to the expenses of disinterment, and the Burial in the Burying Ground of the Religious denomination to which the deceased belonged; or should that not be known, in the general Burying Ground; the same to be recovered in Her Majesty's name on the information of any person, before one or more of Her Majesty's Justices of the Peace for the said Town, as the case or cases may be, and be levied by Warrant of Distress, and Sale of the Goods and Chattels of such Offendor or Offenders, and for want of Goods and Chattels whereon to levy, it shall and may be lawful for the said Justice or Justices to commit the Offender or Offenders to the common Jail of the said Town for a period not exceeding Ninety days; and such fine, when so recovered, shall be paid into Her Majesty's Treasury, to and for the use of Her Majesty's Government.

III. And be it enacted, That when and as often as it shall become necessary to disinter and re-bury any human body under the directions of this Act, the same shall be done and performed by the order of any one Justice of the Peace as aforesaid; and the costs and expenses thereof, and also the costs and charges of any prosecution under this Act where the same shall not be recovered by due course of Law from the Offender or Offenders, shall be paid out of the Public Treasury, upon an account in writing duly attested on oath, and certified by any such Justice of the Peace as aforesaid, being presented to the Administrator of the Government for the time being, in Council, who is hereby authorized to cause a Warrant to be drawn on the Treasury of this Island, for the amount of the said account in favor of the person or persons entitled to receive the same.

IV. And be it enacted, That it shall and may be lawful for the Roman Catholics to hold and possess

as a Burial Ground in the Common of Georgetown, a further tract of Land in the said Common, adjoining the tract now occupied by them as a Burial Ground in the said Common, so that the same shall not in the whole exceed two acres of land, the length of which shall not exceed the breadth more than one half, which shall be laid off and admeasured by Her Majesty's Surveyor General for this Island, and a description thereof under the hand of the said Surveyor General shall be recorded in the Registry Office of this Colony.

Georgetown as a burial ground for the Roman Catholics.

Extent thereof.

By whom to be laid off.

V. And be it enacted, That it shall and may be lawful for the Presbyterians to hold and possess as a Burial Ground in the Common of Georgetown, a further tract of Land in the said Common adjoining the tract now occupied by them as a Burial Ground in the said Common, so that the same shall not in the whole exceed one acre and a half of Land, the length of which shall not exceed the breadth more than one half, the same to be laid off and admeasured, and a description thereof recorded in the way and manner prescribed and directed in the Fourth Section of this Act.

Appropriates a tract of land in said Common as a burial ground for the Presbyterians.

Extent thereof.

By whom to be laid off.

VI. And be it enacted, That it shall and may be lawful for the Members of the Church of England and Ireland, as by Law established, to hold and possess as a Burial Ground in the Common of Georgetown, a further tract of land in the said Common adjoining to a tract of Land now occupied by them as aforesaid, as a Burial Ground in the said Common, so that the same shall not in the whole exceed one and one half acre of Land, the length of which shall not exceed the breadth more than one half, the same to be laid off and admeasured, and a description thereof recorded in the way and manner prescribed and directed in the Fourth Section of this Act.

Appropriates a tract of land in said Common to members of Church of England.

Extent thereof.

By whom to be laid off.

VII. And be it enacted, That the Surveyor General of this Island shall lay off and admeasure

Surveyor General to lay off a tract of land in said

Common as a
general burial
ground for other
denominations of
Protestants.

a tract of land in the said Common of Georgetown, adjoining the tracts of land laid off for the Presbyterians as aforesaid, a further tract of land not exceeding three acres, the length of which shall not exceed the breadth more than one half for other Protestants, and as a general Burial Ground, and so as the whole of the tracts so to be laid off for Protestants shall not in the whole exceed Six acres, the length of which shall not exceed the breadth more than two times and a half, and so as the said tracts so laid off for Protestants as aforesaid shall be in parallel lines with the lines of the Common of Georgetown.

CAP. X.

AN Act to amend an Act of the Seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act to repeal certain parts of an Act, intituled *An Act for the limitation of Actions, and for avoiding Law Suits, so far as the same relate to Actions concerning Real Estate, and to make other provisions in lieu thereof.*"

[Passed April 29th, 1841.]

WHEREAS doubts have been entertained as to the effect of a certain Act of the General Assembly of this Island, made in the Seventh Year of the Reign of the late King William the Fourth, intituled "An Act to repeal certain parts of an Act, intituled *An Act for the limitation of Actions, and for avoiding Law Suits, so far as the same relate to Actions concerning Real Estate, and to make other provisions in lieu thereof,*" so far as the same relates to Mortgages, and it is expedient that such doubts should be removed: Be it declared and enacted, That it shall and may be lawful for any person entitled to or claiming under any Mortgage of land, being land within the defini-

Persons claiming
under any
Mortgage within
the definition of

tion contained in the first Section of the said Act, to make an entry, or bring an Action at Law or Suit in Equity to recover such land at any time within Twenty years, next after the last payment of any part of the principal money or interest secured by such Mortgage, although more than Twenty years may have elapsed since the time at which the right to make such entry, or bring such Action at Law, or Suit in Equity, shall have first accrued, any thing in the said Act notwithstanding.

the 1st Section of Act of the 7th Will. the 4th, cap. 30, may make entry or bring action to recover land within 20 years after last payment of any principal or interest thereon, although the 20 years may have expired since right first accrued.

CAP. XI.

AN Act to further continue and to amend the Act for regulating the Measurement of Ton Timber, Boards, and all other kinds of Lumber, and declaring what shall be deemed Merchantable, and for appointing Officers to Survey the same.

[Passed April 29th, 1841.]

WHEREAS an Act passed in the First Year of the Reign of His late Majesty King George the Fourth, intituled "An Act to regulate the Measurement of Ton Timber, Boards, and all other kinds of Lumber, and to repeal two certain Acts made and passed in the Fourteenth and Fifty-seventh Years of His late Majesty's Reign, and also for declaring what shall be deemed Merchantable, and for appointing Officers to Survey the same," and continued by subsequent Acts, will expire at the end of the present Session, and it is expedient to further continue and amend the same: Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That the said recited Act shall be, and the same is hereby continued in force, for and during the continuance of this Act.

Continues Act of 1st Geo. 4th, cap. 1, during the continuance of this Act.

II. And whereas by the Seventh Section of the above recited Act, there does not appear to be any distinction made between the number of superficial

Remuneration to Surveyors of Lumber, &c. in lieu of that allowed by said Act.

feet in a given quantity of Boards, and of those in a like given quantity of Plank, and it is reasonable that a greater allowance than is therein prescribed be made to the Surveyor, for the Survey of all Plank which shall be over and above two inches in thickness: Be it enacted, That every Surveyor of Lumber shall be allowed for surveying all Plank which shall exceed two inches in thickness, in lieu of the sum in the said recited Act prescribed, at and after the rate of One Shilling for every Thousand feet surveyed—one hundred and forty-four solid inches being calculated to the foot in such measurement.

Continuance of Act.

III. And be it enacted, That this Act shall continue and remain in force for and during the space of Seven-Years, and from thence to the end of the next Session of the General Assembly.

CAP. XII.

AN Act further to continue for One Year, the Act for granting a Bounty on Vessels engaged in the Fisheries of this Island.

[Passed April 29th, 1841.]

Continues Act of 2d Victoria, cap. 6, for one year.

BE it enacted, by the Lieutenant Governor, Council and Assembly, that an Act passed in the Second Year of Her present Majesty's Reign, intituled "An Act for granting a Bounty on Vessels engaged in the Fisheries of this Island," and continued by a subsequent Act for One year, be, and the same is hereby further continued for One year, from the passing hereof, and no longer.

CAP. XIII.

AN Act to continue an Act for the more effectual Punishment of Offenders, by enabling the Supreme Court to add Hard Labour to the sentence of Imprisonment.

[Passed April 29th, 1841.]

BE it enacted, by the Lieutenant Governor, Council and Assembly, That an Act passed in the Fifth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act for the more effectual Punishment of Offenders, by enabling the Supreme Court to add Hard Labour to the sentence of Imprisonment" be, and the same is hereby continued for Five years, and no longer.

Continues Act of 5th Will. 4th, cap. 2, for five years.

CAP. XIV.

AN Act for appropriating certain Moneys therein mentioned, for the Service of the Year of Our Lord One thousand eight hundred and forty-one.

[Passed April 29th, 1841.]

May it please your Excellency;

WE your Majesty's dutiful and loyal subjects, the House of Assembly of Prince Edward Island, towards appropriating the several Supplies raised for the exigencies of Her Majesty's Government, do humbly beseech that it may be enacted—and be it therefore enacted, by the Lieutenant Governor, Council and Assembly, that by or out of such Moneys as from time to time shall be and remain in the Public Treasury of this Island, there shall be allowed and paid for the services herein mentioned, the several Sums following (that is to say):—

The sum of Three thousand Pounds, for the general service of Roads and Bridges—to be ex-

£3000 for service of Roads and Bridges.

pended agreeably to the Report of the Committee of the House of Assembly appointed for the consideration of all matters relating to Roads and Bridges.

£160 for Salaries of Road Commissioners.

And a further sum of One hundred and sixty Pounds, to defray the Salaries of the Commissioners of Highways, for the present year.

£100 for incidental repairs of Roads & Bridges.

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

£40 to Correspondent of Road Commissioners.

And a further sum of Forty Pounds, to the Correspondent of Road Commissioners, for the present year.

£50 for repairing Road between Crabb's and the County Line.

And a further sum of Fifty Pounds, to be placed at the disposal of the Lieutenant Governor, towards the repairing of the Road and Bridges between Mrs. Crabb's and the County Line, to be Let by Auction, to the lowest bidder.

£27 10s. for repairing Poplar Island Bridge.

And a further sum of Twenty-seven Pounds ten shillings towards repairing Poplar Island Bridge, agreeably to the Report of the Inspectors on the state of that Bridge.

£25 for Wharf at Peters' Shore, Three Rivers.

And a further sum of Twenty-five Pounds towards extending the Wharf at Peters's Shore, Three Rivers.

£60 for Vernon River Bridge.

And a further sum of Sixty Pounds, in full, for the completion of Vernon River Bridge.

£30 to George Aitken, for a Public right of way over his Mill-dam.

And a further sum of Thirty Pounds to George Aitken, senior, of Lot Fifty-nine, towards repairing and keeping in repair the Mill-dam over Livingston's Creek, as a Public Highway, provided that the said George Aitken shall put a good railing on the said Mill-dam, from the South end to the North of the Dwelling House of the said George Aitken.

£60 for a Wharf at Banks's Shore, North side of Grand River Harbour.

And a further sum of Sixty Pounds, to be placed at the disposal of the Lieutenant Governor, towards the erecting a Wharf at Banks's Shore, on the North side of Grand River Harbour, in King's County,

when and so soon as the sum of Thirty Pounds is subscribed in aid thereof, either in money or labour.

And a further sum of Fifteen Pounds, towards extending the Wharf in Saint Mary's Bay, Lot Sixty-one. £15 for extending Wharf in St. Mary's Bay, Lot 61.

And a further sum of Eighty Pounds, towards extending the Wharf at Green's Shore, Bedeque. £80 for extending Wharf at Green's Shore, Bedeque.

And a further sum of Fifty Pounds, to Allan Macdougall, Esquire, the Road Commissioner of that District, for the purpose of erecting and completing a Wharf at Campbell's Point, South side of Pinette River, provided the sum of Thirty-two Pounds shall be subscribed and paid by the Inhabitants for that purpose. £50 for Wharf at Campbell's Point, South side Pinette River.

And a further sum of One hundred and Fifty Pounds to the Lieutenant Governor, for opening Roads, under the Road Compensation Act, should the same be required. £150 for opening Roads, under Road Compensation Act.

And a further sum of One hundred Pounds, in aid of opening the projected line of Road from Cardigan River Bridge towards Dingwell's Mills, whenever the Lieutenant Governor shall deem such expenditure necessary. £100 for opening Road from Cardigan River Bridge, towards Dingwell's Mills.

And a further sum of Fifty Pounds for completing the Cardigan River Road to Mount Stewart. £50 for Cardigan River Road to Mount Stewart.

And a further sum of Thirty Pounds, to complete the Bridge on the Canadian River, Lot Eleven. £30 for Bridge on Canadian River, Lot 11.

And a further sum of Ten Pounds to the Road Commissioner of the Thirteenth District, in addition to the sum of Fifteen Pounds formerly voted for the purpose of purchasing a right of way from the Highway to the West River Harbour, Lot Forty-seven. £10 for right of way from the Highway to West River Harbour, Lot 47.

And a further sum of Five Pounds to Raphael Godete and Placide Arsneaux, for allowing a right of way through their Land, for the contemplated line of Road from Saint Eleanor's to Mascouche. £5 to Raphael Godete & Placide Arsneaux, for right of way through their lands.

And a further sum of Forty-five Pounds towards opening a new line of Road from Saint Eleanor's £45 for a line of Road from St.

£1000 to
Mascouche.

to Mascouche, on condition of the Road being completed by private subscription, or Statute Labour.

£22 for Upper
Flat River
Bridge.

And a further sum of Twenty-two Pounds, towards rebuilding the Upper Flat River Bridge, or as much thereof as may be required.

£20 for Kildare
Bridge.

And a further sum of Twenty Pounds towards repairing Kildare Bridge.

£350 for Wharf
on South side of
Hillsborough
River.

And a further sum of Three hundred and fifty Pounds to the Lieutenant Governor, to defray the necessary instalment of the present year, towards the erection of the intended Wharf at the Hillsborough Ferry Point, opposite Charlottetown.

£10 for Bridge
at Suffolk Set-
tlement.

And a further sum of Ten Pounds towards building a new Bridge at the Suffolk Settlement, in the Eighth District.

£200 for Bridge
across Ellis
River, in Prince
County.

And a further sum of Two hundred Pounds, in aid of building a Bridge across Ellis River, in Prince County, between Roderick M'Lean's and Donald Macdonald's, on a guarantee being given that the said Bridge shall be completed without any further demand from the Treasury, either for completing said Bridge, or for any right of way to connect said Bridge with Roads at present established—said Bridge to be constructed of Hewed Timber—Hemlock beneath water, Cedar and Spruce above, sufficiently floored and railed.

£50 to William
and Andrew
Miller, for extra
work at Bridge,
Murray Harbour.

And a further sum of Fifty Pounds to *William and Andrew Miller*, in full, of all claims on account of extra work performed by them over and above their Contract on South River Bridge, *Murray Harbour*.

£400 for opening
Main Western
Road, between
Hill's Mills and
Lot 1.

And a further sum of Four hundred Pounds to the Lieutenant Governor and Council, to be applied in opening that part of the Main Western Road between *Hill's Mills* and *Lot One*, under the Road Compensation Act (in *Prince County*)—the said sum to be refunded out of the amount of Assessment levied.

£260 to Collector
of Excise for
Charlottetown.

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

And a further sum of Forty Pounds, to defray the Salary of the Clerk of the Market at *Charlottetown*, for the present year. £40 to Clerk of Market for Charlottetown.

And a further sum of One hundred and Sixty Pounds, to defray the Salaries of the Sub-Collectors of Customs, for the present year. £160 for Salaries of Sub-Collectors of Customs.

And a further sum of Thirty Pounds, to defray the Salary of the Wharfinger of the Public Wharf at *Charlottetown*, for the present year. £30 to the Wharfinger of Charlottetown.

And a further sum of Seventy-five Pounds, to defray the Salary of the Officer appointed under the Act 3d Will. 4th, cap. 37, for receiving the Returns from the Commanders of Militia Regiments and Battalions, for the present year. £75 to Inspecting Field Officer of Militia.

And a further sum of Ten Pounds to the Assayer of Weights and Measures for *Charlottetown*, for the present year. £10 to Assayer of Weights and Measures for Charlottetown.

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

And a further sum of Thirty Pounds, or as much thereof as may be necessary, to defray the allowance to the Commissioners for issuing Treasury Notes, for the present year. £30 to Commissioners of Treasury Notes.

And a further sum not exceeding Two hundred and Fifty Pounds, to defray the expense of Public Printing and Stationery, for the present year. £250 for public Printing and Stationery.

And a further sum not exceeding One hundred Pounds, to defray the Chief Justices' travelling charges, for the present year. £100 to Chief Justice, for travelling charges.

And a further sum not exceeding Three hundred Pounds, to defray the Sheriffs expenses for the Jails of the different Counties, and to provide Fuel and Bread for the same, during the present year. £300 to defray the expenses of Jails in the 3 Counties.

And a further sum of Forty Pounds, to defray the Salary of the Keeper of the Jail at *Charlottetown*, for the present year. £40 to Keeper of Jail of Queen's County.

And a further sum of Sixty Pounds, to defray the Salaries of the Keepers of the Jails at *Saint Elcanor's* and *Georgetown*, for the present year. £60 to Jailers of King's and Prince Counties.

£15 to Matron of Jail in Charlottetown.

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

£10 to Medical Attendant of Charlottetown Jail.

And a further sum of Ten Pounds to the Medical Attendant of *Charlottetown* Jail, for his services, and for supplying the Prisoners with Medicines, for the present year.

£1200 for support of Education.

And a further sum of One thousand Two hundred Pounds, or as much thereof as may be necessary for the support and encouragement of Education, for the present year.

£300 to Masters of Central Academy.

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

£25 to Master of National School in Charlottetown.

And a further sum not exceeding Twenty-five Pounds, to defray the Salary of the Master of the National School at *Charlottetown*, for the present year, should the same be required.

£550 for the conveyance of the Mails by Steam Navigation.

And a further sum not exceeding Five hundred and Fifty Pounds, to defray the expenses of conveying the Mails by means of Steam Navigation, or as much thereof as may be required for the present year, agreeably to the Resolutions passed by the House of Assembly this Session on that subject.

£150 for conveying the Winter Mails.

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

£250 for conveying the Inland Mails.

And a further sum of Two hundred and Fifty Pounds, to defray the expense of conveying the Inland Mails for the present year, or as much thereof as may be required for that purpose.

£30 to Post Mistress.

And a further sum of Thirty Pounds to Mistress *Williams*, for conducting the business of the Inland Mails, for the past year.

£40 for Premiums for destruction of Bears and Loupcerviers.

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

And a further sum not exceeding **Four Pounds**, to each of the **Medical Attendants** of the **Jails of Saint Eleanor's** and **Georgetown**, should the same be required, for the present year.

£4 each to Medical Attendants of Jails of King's and Prince Counties.

And a further sum not exceeding **Two hundred and Fifty Pounds**, to defray the contingent expenses of the Government, for the present year.

£250 for contingent expenses of Government.

And a further sum of **Four hundred Pounds**, or as much thereof as may be necessary, to defray the Interest payable on **Treasury Warrants**, at the Treasury, agreeable to Law.

£400 for Interest on Treasury Warrants.

And a further sum of **One hundred Pounds**, for carrying into effect the **Quarantine** regulations, should the same be required, during the present year.

£100 for Quarantine service.

And a further sum of **Ten Pounds** to **Solomon Desbrisay**, to defray his Salary as Librarian to the Legislature, for the present year.

£10 to Librarian of Legislative Library.

And a further sum of **Ten Pounds** to the Office-bearers of the **Charlottetown Mechanics' Institute**, to be applied in the purchase of **Books and Scientific Apparatus** for the said Institute.

£10 to Charlottetown Mechanics' Institute.

And a further sum of **Twenty Pounds** to the Trustees of the School in **Georgetown**, towards paying off the Debt due for the building of the School-house.

£20 to Georgetown Grammar School.

And a further sum of **Twenty Pounds**, to defray the expense of **Plans and Estimates** of public works, for the present year, should the same be required.

£20 for Plans and Estimates.

And a further sum of **Eight Pounds** to **James Thomson, Esquire**, for a **Table Cloth**, presented to the House of Assembly in its last Session, as a specimen of what can be accomplished within the Colony, were encouragement offered to enterprising individuals.

£8 to James Thomson, Esq. for a Table Cloth, presented to the Assembly.

And a further sum of **Four hundred Pounds**, to defray the Salary of the **Colonial Secretary**, for the present year.

£400 to Colonial Secretary.

And a further sum not exceeding **Two hundred Pounds**, to be paid to the Government of **New Brunswick**, towards defraying the expense of ob-

£200 towards defraying the expense of a Survey of Canal

between Bay of Fundy and Gulph of St. Lawrence.

taining a Survey, Exploration and Estimate of the proposed line of Canal between the *Bay of Fundy* and the Gulph of *Saint Lawrence*, should the same be required.

£12 for Ferry over the Hillsborough at M^r Connell's.

And a further sum of Twelve Pounds, to be paid to such person or persons as shall contract to keep the Ferry over the Hillsborough at *M^r Connell's*, agreeably to the Report of the Special Committee of the House of Assembly, relative to the said Ferry.

£88 sterling for engraving Charts of Harbours of Charlottetown and Three Rivers.

And a further sum sufficient to purchase a Bill of Eighty-six Pounds, Sterling, to the Lieutenant Governor, to defray the expenses incurred in Engraving Charts of the Harbours of *Charlottetown* and *Three Rivers*.

£80 for Packet between Bedeque and Shediac.

And a further sum of Thirty Pounds, to defray the expenses of running a Packet between *Bedeque* and *Shediac*.

£150 for the erection of a Market House in Georgetown.

And a further sum of One hundred and Fifty Pounds to the Lieutenant Governor, for the erection of a Market House in *Georgetown*, on a guarantee being given, that same, with the sum of Fifty Pounds subscribed by the Inhabitants, will complete the said Market House—said grant of One hundred and Fifty Pounds to be payable within Three Years, by equal annual instalments—the building to be erected in conformity with the Plan and Specification submitted to the House of Assembly.

£60 to High Sheriffs of the different Counties.

And that a further sum of Sixty Pounds be granted to defray the Salaries of the High Sheriffs of the different Counties, for the present year.

£500 to Treasurer.

And a further sum of Five hundred Pounds, to defray the Salary of the Treasurer of this Island, for the present year.

£600 for Crown Prosecutions, &c.

And a further sum of Three hundred Pounds, or as much thereof as may be necessary, to defray the expense of Crown Prosecutions, including Fees of Crown Officers, for the present year.

£50 for the purchase of Live

And a further sum of Fifty Pounds, to *William Bearisto*, President of the Princetown Agricul-

tural Society, for the Importation of Live Stock, under the direction of the several Agricultural Societies in Prince County—and that the same be sold at Public Auction, to the highest bidder, for the benefit of the said Societies, as near the centre of the County as possible.

Stock for Prince County.

And a further sum of One hundred Pounds, to the Central Agricultural Society, to cover any loss on the importation of such denomination of Live Stock as may be by a majority of the Committee of the said Society, in conjunction with two members from the Committee of each District Society, now established in Queen's and King's Counties—which stock when so selected and imported into the Colony, shall be sold, as near as may be, in two equal portions, to persons resident in each of the said Counties; which said purchasers shall be bound to keep such Stock in the Counties of their respective residences.

£100 to Central Agricultural Society for purchase of Live Stock.

And a further sum of Ten Pounds ten shillings, to defray the Assessment on the Lieutenant Governor's Pew, and two Pews for the Members of the Legislative Council and Assembly, and also the Pew for the Officers of the Garrison, in the Episcopal Church, for the present year, ending with Whitsuntide, 1841.

£10 10s. for Assessment of public Pews in Church in Charlottetown.

And a further sum of Three hundred Pounds, or as much thereof as may be necessary, to the Lieutenant Governor, to defray the Bounties on Vessels engaged in the Fisheries, under the Act of the present Session, should the same be required.

£300 for Bounties on Vessels engaged in the Fisheries.

And a sufficient sum, to be placed at the disposal of the Lieutenant Governor, to defray the Contingent expenses of the Legislative Council and House of Assembly for the present year.

A sum sufficient to defray contingent expenses of Legislative Council and Assembly.

And a further sum of Ten Pounds, to the Office-bearers of the Mechanics' Institute, Charlottetown, to be expended in the Printing and Publishing such works or original matter as they may deem conducive to the advancement of science and useful knowledge.

£10 to Mechanics' Institute, Charlottetown.

£110 for Light House for Harbour of Charlottetown.

And a further sum of One hundred and ten Pounds, or as much thereof as may be necessary, to defray the expense of erecting and completing a Light House, with the necessary Apparatus, on such place contiguous to the Harbour of Charlottetown as may be deemed most advantageous to the Trade of that Harbour.

£6 12s. for Books for Legislative Library.

And a further sum of Six Pounds twelve shillings to *William Cullen, Esquire*, Clerk of the House of Assembly, to reimburse him in the amount paid by him, being the balance due on a Bill of Exchange obtained for the last importation of Books for the use of the Library of the Legislature.

A sum sufficient to construct and maintain Buoy in the several harbours mentioned.

And a sum sufficient, to be placed at the disposal of the Lieutenant Governor, to construct and maintain Buoy in the several Harbours hereinafter mentioned, namely:—the Harbour of Charlottetown, Two Spar Buoy, besides the Buoy already constructed for the inside of said Harbour; or for Three Spar Buoy, if the last named Buoy should be found unserviceable.

Two Buoy for Murray Harbour.

For One Buoy, besides the Three Buoy already put down in the Harbour of Three Rivers.

For Three Buoy in Grand River Harbour.

For Two Buoy in Richmond Bay.

For Two Buoy in the Harbour of New London.

For Bedeque, Two Buoy, if required.

For Cascumpec, Two Buoy.

For Crapaud, One Buoy.

For Saint Peter's Harbour, Two Buoy.

For Rollo Bay, Two Buoy.

For Souris, the sum voted last Session, to be appropriated in placing Two Buoy in that Harbour.

All the Buoy in the different Harbours to be Let and maintained for a term of from Three to Five years.

£60 to Speaker and £30 to each Member of the Assembly, exclu-

And a further sum of Sixty Pounds, to the Speaker of the House of Assembly, and Thirty Pounds to each Member of the said House, to

indemnify them for their Disbursements while attending the sittings of the House of Assembly this present Session, with Travelling charges as heretofore—and deducting a proportionate rate for each and every day absent.

And a further sum of Thirty Pounds, to *John Little, Esquire*, for his services as Reporter to the House of Assembly, for the present Session.

And a further sum of One hundred and fifty Pounds, to defray the expense of the repairs in and about Government House for the present year.

And a further sum of Four Pounds, or as much thereof as shall be required, be placed at the disposal of *Thomas Owen, Esquire*, Road Commissioner, to procure Moorings for the Scow at Grand River Ferry, King's County.

And a further sum of Ten Pounds to the present Contractor for carrying the Winter Mails across the Straits from Cape Tormentine, over and above the amount of his contract.

And a further sum of Fifty Pounds to the person Licensed to run a Sailing Packet between Georgetown and Pictou during the ensuing Summer, provided no Steamer shall ply between the aforesaid ports during that period.

And a further sum of Five Pounds, to *Edward Thornton, Esquire*, towards the support of *John Griffin*, and his Sisters, of Lot Sixty-one, who are in a state of Idiocy.

And a further sum of Twelve Pounds, to the Reverend *John Macdonald*, Saint Margaret's, for the relief of the following persons, viz:—

Thomas Devereau, Four Pounds.

Angus M'Kelloc, towards the support of his daughter, Three Pounds.

Elizabeth Brow, Two Pounds ten shillings.

And *Mary Morrison*, Widow, Lot Forty-five, Two Pounds ten shillings.

And a further sum of Nineteen Pounds to be placed at the disposal of the Honorable *Peter S. Macnutt*, for the relief of the following persons, viz:—

Five of travelling charges.

£30 to Reporter of Assembly.

£150 for repairs of Government House.

£4 for moorings for Scow at Grand River Ferry, King's County.

£10 to contractor for carrying Winter Mails.

£50 for Packet between Georgetown & Pictou.

£5 to Edward Thornton, Esq. for John Griffin and Sisters.

£12 to Rev. John Macdonald, for the relief of several poor persons.

£19 to Hon. P. S. Macnutt, for the relief of several poor persons.

Daniel Quigley, Five Pounds.

Mary Hickey, Three Pounds.

Maurice Curran, Three Pounds.

Peter M'Millan, Five Pounds.

And James English, Three Pounds.

£5 to James Yeo, Esq. for relief of Jeremiah Dalton.

And a further sum of Five Pounds, to *James Yeo, Esquire*, for the relief of Jeremiah Dalton, whose wife is in a state of Lunacy.

£11 10s. to Rev. Robert Douglass, for the relief of several poor persons.

And a further sum of Eleven Pounds ten shillings to the Reverend *Robert Douglass*, for the relief of the following persons, viz:

Christina M'Eachern, Three Pounds.

John Smith, Three Pounds.

Widow Patience, Three Pounds.

Catharine Partridge, Two Pounds ten shillings.

£12 10s. to Thomas Owen, Esq., for the relief of several poor persons.

And a further sum of Twelve Pounds ten Shillings to *Thomas Owen, Esquire*, for the relief of the following persons, viz:—

The Son of Thomas Walsh, Lot Sixty-six, an Idiot, Five Pounds.

The Son of Margaret Campbell, Lot Fifty-four, an Idiot, Two Pounds ten Shillings.

John Rowan, Lot Sixty-six, Three Pounds.

Mrs. M'Cabe, of Georgetown, the sum of Two Pounds.

£15 to Mr. James Simpson, for the relief of 3 blind persons.

And a further sum of Fifteen Pounds, to Mr. *James Simpson*, for the relief of three Blind persons of the name of M'Kay, in New London.

£3 to John Macdonald, jun. Allisary, for relief of Flora M'Phee.

And a further sum of Three Pounds, to *John Macdonald, junior*, of Allisary, for the relief of Flora M'Phee, an aged and destitute person.

£10 10s. to J. C. Sims, Esq. for relief of several poor persons.

And a further sum of Ten Pounds ten Shillings to *John C. Sims, Esquire*, for the relief of the following persons, viz:—

Hercules Frieze, a Blind person, Eight Pounds.

Henry Windsor, Two Pounds ten shillings.

£5 to Mr. James Arthur, for Robert Winter.

And a further sum of Five Pounds to Mr. *James Arthur*, of New Glasgow, towards the support of Robert Winter, an Insane person.

£59 10s. to Rev. J. M'Lennan, for the relief of several poor persons.

And a further sum of Fifty-nine Pounds ten shillings to the Reverend *John M'Lennan*, for the relief of the following persons, viz:—

James Maddock, Newton, the sum of Eight Pounds.

Margaret Finlayson, Eight Pounds.

Christy M'Phee, Three Pounds.

Mary M'Aulay, towards the support of her Son John, Ten Pounds.

Simon M'Kinnon, towards the support of his Son, Three Pounds.

Ann Macdonald, Three Pounds.

Flora M'Leod, Four Pounds ten shillings.

Ewen M'Leod, Two Pounds ten shillings.

Donald Munn, Two Pounds ten shillings.

John Campbell, Two Pounds ten shillings.

John Bell, Three Pounds.

An amount of Ten Pounds to reimburse the Reverend *John M'Lennan* for advances made by him.

And a further sum of Twelve Pounds ten shillings to *Jesse Duroche*, of Mascouche, for the relief of the following persons, viz:—

£12 10s. to *Jesse Duroche*, for the relief of three poor persons.

William and Madalene Holmes, the sum of Ten Pounds.

Mary Gallant, the sum of Two Pounds ten shillings.

And a further sum of Three Pounds to the Reverend Mr. *Deligny*, for the relief of James and Catharine Gillis, of Lot Eighteen, two aged and indigent persons.

£3 to Rev. Mr. *Deligny*, for the relief of 2 poor persons.

And a further sum of Ten Pounds to the Benevolent Irish Society of Prince Edward Island, towards the support of Margaret M'Arthy, a destitute girl, afflicted with mental infirmity.

£10 to Benevolent Irish Society for Margaret M'Carthy.

And a further sum of Thirteen Pounds to *Donald Macdonald, Esquire*, of Charlottetown, to be expended as follows:—

£13 to *Donald Macdonald, Esq.* for several poor persons.

To Widow M'Leod, of Fort Augustus, Three Pounds.

Alexander M'Niven, of Elliot River, a Blind person, Two Pounds.

Widow Catharine Macdonald, of Lot Six'y-five, Three Pounds.

And to pay the passage of John Hines, to New Brunswick, Five Pounds.

£4 to Donald Macdonald, Esq. for an Indian.

And a further sum of Four Pounds, to *Donald Macdonald, Esquire*, of Charlottetown, for the purchase of a Gun and some Powder and Shot for Dominique Knockwood, a poor Indian.

£45 to Ladies' Benevolent Society, for several poor persons.

And a further sum of Forty-five Pounds to the Ladies' Benevolent Society, to be by them expended in the following manner, viz:—

For the relief of John Macnamara, Ten Pounds.

Matthew Flinn, Five Pounds.

Catharine Hilliard, Five Pounds.

Helen Rielly, Five Pounds.

James Conway, Five Pounds.

William Purcell, Ten Pounds.

Joanna Redmond, Five Pounds, towards the support of a lame daughter.

The said several sums to be laid out at such times and in such way and manner as the said Society may deem best.

£5 to Donald Macdonald, Esq. to pay passage of R. M'Naughton.

And a further sum of Five Pounds, to *Donald Macdonald, Esquire*, Charlottetown, to pay the passage of Robert M'Naughton to a port in Great Britain.

£3 to William Cooper, Esq. for Mrs. Quinn.

And a further sum of Three Pounds to *William Cooper, Esquire*, to be paid to Mrs. Quinn, a poor and indigent woman residing on Lot Fifty-six.

£3 to Alexander M'Lean, Esq. for relief of Donald M'Lean.

And a further sum of Three Pounds to *Alexander Maclean, Esq.*, for the relief of Donald Maclean, Lot Twenty-two.

£100 to Ladies' Benevolent Society.

And a further sum of One hundred Pounds to the Committee of the Ladies' Benevolent Society, in aid of the Funds of that Society.

£30 to Ladies' Benevolent Society for house rent.

And a further sum of Thirty Pounds to the Committee of the Ladies' Benevolent Society, to defray the Rent of a House provided by them for indigent persons.

Several sums to Lieut. Governor, for the relief of several poor persons.

To His Excellency the Lieutenant Governor the following sums, towards the support of the persons therein named:—

To Henry Prowse, Montague River, Four Pounds.

To John M'Swaine, Belfast, towards the support of Jane Arbuckle, Eight Pounds.

To Archibald M'Niven, of Lot Thirty, towards the support of an Idiot Son, Three Pounds.

To Rosanna Mitchell, Monaghan Settlement, Five Pounds.

To Charles Russell, an aged Teacher, Five Pounds.

To Patrick M'Ara, of Lot Thirty-four, a blind person, Five Pounds.

To Elizabeth Le Page, towards the support of her husband, Andrew Le Page, a Lunatic, Five Pounds.

To John Masters, of Vernon River, towards the support of an Idiot Son, Five Pounds.

To Mary Ann Warren, of Lot Five, Widow, Three Pounds.

To George Murray, of Lot Eleven, having an Insane Wife, Six Pounds.

To Nancy Keilly, towards the support of her husband, afflicted with mental derangement, Three Pounds.

To John Ready, a blind person, Five Pounds.

To Mary M'Carron, of Fort Augustus, an aged Widow, Three Pounds.

To the Widow of the late Captain Francis, an Indian, Three Pounds.

Ex. J. M.
7/28/10