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JOURNAL
OF
THE LEGISLATIVE COUNCIL
OF
PRINCE EDWARD ISLAND.

ANNO VICESSIMO SECUNDO VICTORIÆ REGINÆ.

First Session of the Twenty-first General Assembly.



CHARLOTTETOWN,
JOHN S. BREMNER, PRINTER, PRINCE STREET,
1859.



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

BY HIS EXCELLENCY

SIR DOMINICK DALY, KNIGHT,

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

D. DALY, Lieutenant Governor.

Whereas the General Assembly of this Island stands prorogued until Tuesday the 11th day of May instant:

I have thought fit to dissolve the said General Assembly, and the same is hereby dissolved accordingly.

And I do hereby give notice to the Members of the several Electoral Districts and Towns and Royalties within the said Island, that they are discharged from further attendance in the said General Assembly.

And I do further declare that I have this day given orders that Writs for calling a new General Assembly be issued in due form, the said Writs to bear teste on Monday, the 10th day of May, instant, and to be returnable on Tuesday, the 20th day of July next.

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

By Command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN.

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

BY HIS EXCELLENCY

SIR DOMINICK DALY, KNIGHT,

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

D. DALY, Lieutenant Governor.

Whereas the Writs issued for the Election of Members to serve in General Assembly bore teste on Monday the tenth day of May last, and were made returnable on Tuesday the 20th day of July last:

And whereas the attendance of the Members chosen for the several Electoral Districts, Towns and Royalties, within the said Island, was not required on the said 20th day of July.

I have thought fit to prorogue the said General Assembly to Tuesday the 14th day of December next, and the same is hereby prorogued until Tuesday, the said 14th day of December, of which all persons concerned are required to take notice and govern themselves accordingly.

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

By Command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN.

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

BY HIS EXCELLENCY

SIR DOMINICK DALY, KNIGHT,

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

D. DALY, Lieutenant Governor.

Whereas the General Assembly of this Island stands prorogued until Tuesday the 14th instant :

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Tuesday, the 25th day of January next, of which all persons concerned are required to take notice, and govern themselves accordingly.

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

By Command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN.

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

BY HIS EXCELLENCY

SIR DOMINICK DALY, KNIGHT,

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

[L.S.]

D. DALY, Lieutenant Governor.

Whereas the General Assembly of this Island stands prorogued until Tuesday, the 25th instant:

I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued until Thursday, the 17th day of February next, *then to meet for the despatch of business*, of which all persons concerned are required to take notice, and govern themselves accordingly.

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

By Command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN.

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

BY HIS EXCELLENCY

SIR DOMINICK DALY, KNIGHT,

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

[L.S.]

D. DALY, Lieutenant Governor.

Whereas I have thought fit, by and with the advice of Her Majesty's Executive Council, to dissolve the General Assembly of this Island; the same is hereby dissolved accordingly :

And I do hereby give notice to the Members of the several Electoral Districts and Towns and Royalties within the said Island, that they are discharged from further attendance in the said General Assembly.

And I do further declare that I have this day given orders that Writs for calling a new General Assembly be issued in due form, the said Writs to bear even date herewith, and to be returned on Monday, the 4th day of April next ensuing.

Given under my hand and the great seal of this Island, at Charlottetown, in the said Island, the 19th day of February, in the year of our Lord one thousand eight hundred and fifty-nine, and in the twenty-second year of Her Majesty's reign.

By Command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN.

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

BY HIS EXCELLENCY

SIR DOMINICK DALY, KNIGHT,

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

D. DALY, Lieutenant Governor.

Whereas the Writs for electing Members to serve in the General Assembly for the several Electoral Districts, Towns and Royalties of this Island are returnable on Monday, the 4th day of April next:

I have thought fit, by and with the advice of Her Majesty's Executive Council, to issue this my Proclamation, and give notice, that I have appointed Tuesday, the 12th day of April next, for the Meeting of the said General Assembly, for the Despatch of Business; and I do hereby require the Members of the Legislative Council and Assembly to attend in General Assembly on the said day—Whereof, they and all others concerned, are desired to take notice and govern themselves accordingly.

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

By Command,

GEORGE COLES, Colonial Secretary.

GOD SAVE THE QUEEN.

JOURNAL
OF
THE LEGISLATIVE COUNCIL
OF
PRINCE EDWARD ISLAND.

THURSDAY, 17th February, 1859.

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

PRESENT:

<i>The Honorable Dr. Young, President;</i>	
<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Bagnall,</i>
<i>Mr. Dingwell,</i>	<i>Mr. Forgan,</i>
<i>Mr. Walker,</i>	<i>Mr. Aldous.</i>
<i>Mr. Craswell,</i>	

Mr. President acquainted the House that His Excellency the Lieutenant Governor had provisionally appointed Robert Hutchinson, Esquire, by Warrant, bearing date the Fifth day of January, 1859, a Member of this House, who desires to be admitted.

Ordered, That *Mr. Dingwell* and *Mr. Craswell* be a Committee to attend Mr. Hutchinson, and see him qualified.

Mr. Dingwell from the Committee appointed to attend Mr. Hutchinson and see him qualified—reported, that they had, according to order, attended Mr. Hutchinson, who took the oaths in the presence of the Lieutenant Governor.

Mr. Hutchinson was then introduced between *Mr. Dingwell* and *Mr. Craswell*, and took his seat.

Mr. President acquainted the House, that His Excellency the Lieutenant Governor had provisionally appointed Angus MacIntyre, Esquire, by Warrant, bearing date the Fifth day of January, 1859, a Member of this House, who desires to be admitted.

Ordered, That *Mr. Dingwell* and *Mr. Craswell* be a Committee to attend *Mr. MacIntyre*, and see him qualified.

Mr. Dingwell from the Committee appointed to attend *Mr. MacIntyre*, and see him qualified, reported, that they had, according to order, attended *Mr. MacIntyre*, who took the oaths in the presence of the Lieutenant Governor.

Mr. MacIntyre was then introduced between *Mr. Dingwell* and *Mr. Craswell*, and took his seat.

His Excellency the Lieutenant Governor having come to the Council Chamber, and being seated, the Gentleman Usher of the Black Rod received His Excellency's commands to inform the House of Assembly—that it is His Excellency's pleasure, that they do attend him in the Council Chamber instanter; and the Members present having appeared at the Bar;

The President of the Council addressed them as follows:

“ Gentlemen of the House of Assembly;

“ I am commanded by His Excellency the Lieutenant Governor to acquaint you, that His Excellency does not intend to declare the cause of calling this General Assembly, until there be a Speaker of the House of Assembly—and therefore, you Gentlemen of the House of Assembly are to proceed to the place where the House of Assembly usually meet, and there proceed to the election of a fit person to be your Speaker, whom you are to present to His Excellency here immediately, for his approval.”

The Gentlemen of the Assembly then withdrew, and His Excellency the Lieutenant Governor having waited for some time for their return, and the Gentlemen not having returned, the Gentleman Usher received His Excellency's commands to inform the House of Assembly, that it is His Excellency's pleasure that they do attend him in the Council Chamber instanter—and the Members having again appeared at the Bar,

The President of the Council again addressed them as follows:

“ Gentlemen of the Assembly;

“ I am commanded by His Excellency the Lieutenant Governor to acquaint you, that so soon as you notify him that you have elected a fit person to be your Speaker, His Excellency will appoint an hour for him to be presented to His Excellency for his approval; and then, if approved, His Excellency will declare the cause of calling this General Assembly.”

The Gentlemen of the Assembly then withdrew, and His Excellency was pleased to retire.

FRIDAY, 18th February, 1859.

The Members of the Assembly not having yet appointed a Speaker, the Council did not meet.

SATURDAY, 19th February, 1859.

The Legislative Council met.

P R E S E N T ;

<i>The Honorable Dr. Young, President ;</i>	
<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Forgan,</i>
<i>Mr. Dingwell,</i>	<i>Mr. Aldous,</i>
<i>Mr. Walker,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Craswell,</i>	<i>Mr. MacIntyre.</i>
<i>Mr. Bagnall,</i>	

The President acquainted the House, that His Excellency the Lieutenant Governor was so ill as to be unable to be present on this occasion.

The President then, in the name of His Excellency the Lieutenant Governor, directed the Gentleman Usher of the Black Rod, to inform the Assembly, that it is His Excellency's pleasure that they attend in the Council Chamber instanter.

And the Members of Assembly present, having appeared at the Bar;

The President then said:

“Honorable Gentlemen of the Legislative Council;

“Gentlemen of the Assembly;

“I regret to be obliged to inform you, that His Excellency the Lieutenant Governor is so unwell, that he is unable to be present, and therefore he hath been pleased to issue his Commission, and which the Clerk will now read,” viz:

BY HIS EXCELLENCY

SIR DOMINICK DALY, KNIGHT,

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

[L. S.] same, &c. &c. &c.

L. DALY, Lieutenant Governor.

To the Honorables Charles Young, William Swabey and John Aldous.

I hereby appoint you a Commission to attend in the Council Chamber forthwith, and in my name command the attendance of the Members of the House of Assembly at the Bar of that Chamber, and announce to them, that I have this day Dissolved the Assembly, by and with the advice of the Executive Council, and you will deliver to them the accompanying reasons for so doing.

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

By command,

GEORGE COLES, Colonial Secretary.

The Honorable Charles Young, then, for himself, and the other Commissioners, in the name of His Excellency the Lieutenant Governor, delivered the following Speech :

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

It having been notified to me last evening by the Clerk of the Assembly, that after two days deliberation, you Gentlemen of the Assembly, had not appointed a Member of the Assembly as your Speaker.

I consider, under these circumstances, any longer delay might tend to serious inconvenience, and loss to the Public Revenue, and would not lead to any beneficial result.

It therefore becomes my painful duty to release you from further attendance, and to dissolve the present Assembly.

D. DALY, Lieutenant Governor.

Government House, 19th February, 1859.

JOURNAL

OF

THE LEGISLATIVE COUNCIL,

OF

PRINCE EDWARD ISLAND.

FIRST SESSION OF THE TWENTY-SECOND GENERAL ASSEMBLY.

TUESDAY, 12th April, 1859.

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

P R E S E N T :

The Honorable Dr. Young, President ;

The Hon. Mr. Swabey,

The Hon. Mr. Forgan,

Mr. Dingwell,

Mr. Aldous,

Mr. Walker,

Mr. Hutchinson,

Mr. Bagnall,

Mr. MacIntyre.

Mr. President acquainted the House, that His Excellency the Lieutenant Governor had provisionally appointed Henry Allen Johnson, Esquire, by Warrant, bearing date the Eleventh day of April, 1859, a Member of this House, who desires to be admitted.

Ordered, That *Mr. Forgan* and *Mr. Aldous* be a Committee to attend *Mr. Johnson*, and see him qualified.

Mr. Forgan, from the Committee appointed to attend *Mr. Johnson* and see him qualified, reported, that they had according to order, attended *Mr. Johnson*, who took the oaths in the presence of the Lieutenant Governor.

Mr. Johnson was then introduced between *Mr. Forgan* and *Mr. Aldous*, and took his seat.

His Excellency the Lieutenant Governor having come to the Council Chamber, and being seated, the Gentleman Usher of the Black Rod received His Excellency's commands to inform the House of Assembly, that it is His Excellency's pleasure, that they do attend him in the Council Chamber instanter; and the Members present having appeared at the Bar,

The President of the Council addressed them as follows:

“Gentlemen of the Assembly;

“I am commanded by His Excellency the Lieutenant Governor to acquaint you, that His Excellency does not intend to declare the cause of calling this General Assembly, until there be a Speaker of the House of Assembly; and therefore, you Gentlemen of the Assembly are to repair to the place where the House of Assembly usually meet, and there proceed to the election of a fit person to be your Speaker, whom you are to present to His Excellency here immediately for his approval.”

The Gentlemen of the Assembly then withdrew, and in a short time returned, when the Honorable Donald Montgomery addressed His Excellency, and stated, that, agreeably to His Excellency's commands, the Assembly had proceeded to the election of a Speaker, and that their choice had fallen upon him, and humbly trusted their election would meet His Excellency's approbation.

The President of the Council then replied :

“Honorable Donald Montgomery;

“I am commanded by His Excellency the Lieutenant Governor, to acquaint you, that he hath so good an opinion of your integrity, diligence, and sufficiency for executing the important office to which you have been elected, that His Excellency is perfectly satisfied with the choice which the House of Assembly have made, and doth allow and confirm you to be their Speaker.”

The Speaker then addressed His Excellency as follows:

“May it please Your Excellency;

“As you have been pleased to approve of the choice of the House of Assembly, in appointing me to be their Speaker, it now becomes my duty as such, to request

of Your Excellency, as the privilege of the House, that the Members thereof may be freed from arrest, that they may have freedom of Speech in their debates, and have free access to Your Excellency on all occasions; and I do also, in their name and behalf, claim all their ancient rights and privileges.

Then the President of the Council replied in the following words:

“ Mr. Speaker,

“ I am commanded by His Excellency the Lieutenant Governor to say, that His Excellency being fully assured of the prudence, loyalty and good affection of the House of Assembly, most willingly grants to them all their privileges, conformably to ancient usage, the Laws of the land, and Her Majesty’s Instructions.”

His Excellency was then pleased to open the Session with the following Speech:

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

Although the period has arrived when our Legislative labors usually terminate, I rely with confidence on your zeal and patriotism to devote sufficient time to the maturing of those measures which are essential to the maintenance of the public credit, however inconvenient the sacrifice may I fear, prove to many of you.

The late crisis in Commercial affairs, which has occasioned such universal embarrassment, has been felt in this community with much severity; but I trust it will not be without its advantage, and that it may have the effect of confining commercial enterprise in future within less speculative limits.

A decrease in the public Revenue was anticipated, but I am happy to inform you, that it is not so great as was apprehended; and I trust that by judicious economy in future appropriations, you will find means of meeting the deficiency.

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

The Accounts of the past year, and the estimates for the current year, shall be laid before you, and I rely on your readiness to grant the necessary supplies for the public service.

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

The very abundant harvest of the last season, with which Providence has blessed the labors of the people, has demanded the expression of our thankfulness. Produce of all sorts has found ready sale, at remunerative prices, and has been exported to an unusual extent; in addition to which, a considerable increase in the export of Fish justifies the belief that this branch of industry will ere long attract the attention to which it is manifestly entitled.

Since I last met you, communications have reached me from Her Majesty’s Government, and from the Governor General, on the subject of a Federal Union of the North American Provinces, copies of which shall be placed before you.

The Act of the last Session relating to the Fishery Reserves in this Island has not been sanctioned. A copy of a Despatch from the Principal Secretary of State for the Colonies, setting forth the grounds of the disallowance of that Act, with other documents relating to the same subject, will be communicated to you.

Copies of the Secretary of State's Despatches will also be communicated to you, regarding the contemplated guaranteed Loan, which it is not the intention of Her Majesty's Government to propose to the Imperial Parliament.

You will not fail to observe, with satisfaction, that the whole question of the Land tenures, together with that of the Fishery Reserves, is engaging the anxious attention of the Secretary of State; and I would earnestly recommend to your consideration his suggestion for facilitating the equitable adjustment of those difficulties which have so long retarded the prosperity of the Colony.

Having some time since tendered my resignation of the post which I have had the honor of occupying in this Island for nearly five years, my services will be employed in another portion of Her Majesty's Colonial possessions. My Successor in this Government is appointed, and the further proceedings for giving effect to the remaining arrangements, which have been delayed by the state of the navigation, may be expected to be completed at an early date.

I trust you feel assured of my unabated desire earnestly to co-operate with you in your endeavours to promote the general welfare.

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

Prayers were then read.

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

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

Ordered, That *Mr. Swabey*, *Mr. Aldous*, and *Mr. Johnson* be a Committee to prepare a draft pursuant to the above Resolution.

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

Ordered, That *Mr. Forgan* and *Mr. Aldous* do compose the said Committee.

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

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

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

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

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

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

Resolved, That Eighty copies of the Journal of this House be furnished by the Printer.

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

The House then proceeded to the election of Officers, and thereupon—

Resolved, That the Reverend Louis Charles Jenkins, D. C. L., be appointed Chaplain.

Resolved, That Henry Palmer, Esquire, be appointed Gentleman Usher of the Black Rod and Sergeant at Arms.

Resolved, That Mr. Patrick Furlong be appointed Messenger.

Resolved, That Mr. John Hobbs be appointed Doorkeeper;

and that the said appointments do continue during the present term of the General Assembly.

Resolved, That Robert Blake Irving, Esquire, be appointed Reporter to this House for the present Session.

Resolved, That a Committee be appointed to receive Tenders for Printing the Journal of this House of the present Session, and to report thereon to-morrow.

Ordered, That *Mr. Forgan* and *Mr. Aldous* be a Committee for that purpose.

Resolved, That a Committee be appointed to make arrangements for the publication of the proceedings of this House for the present Session.

Ordered, That *Mr. Aldous* and *Mr. Johnson* do compose the said Committee.

Ordered, That *Mr. Bagnall* have leave to absent himself to-morrow, on public business.

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

WEDNESDAY, - 13th April, 1859.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Dr. Young, President;

*The Hon. Mr. Swabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,*

*The Hon. Mr. Forgan,
Mr. Aldous,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.*

PRAYERS.

Read the proceedings of yesterday.

Mr. Craswell informed the House that the state of the roads prevented him from attending in his place yesterday.

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

Mr. Wright informed the House that the state of the roads prevented him from attending in his place yesterday.

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

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

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

Mr. Aldous from the Committee appointed to receive Tenders for Printing the Journal of this House of the present Session, reported, that the Committee had received five Tenders, which are as follow:—

First—from Mr. James J. Rice, engaging to perform the work for the sum of Nineteen Shillings and tenpence per sheet of four pages, and to bind the same for the sum of Three Shillings and ninepence each copy.

Second—from Mr. Jas. Barrett Cooper, engaging to perform the work for Nineteen Shillings and Sixpence per sheet of four pages, and to bind each copy for the sum of Three Shillings and sixpence.

Third—from Mr. William Malone, engaging to perform the work for the sum of Seventeen Shillings per sheet, and to bind each copy for the sum of three shillings and sixpence.

Fourth—from Messrs. Walsh & Grant, engaging to perform the work for the sum of Twenty Shillings per sheet, and the sum of three shillings and sixpence for binding and stitching each copy.

Fifth—from Mr. John S. Bremner, engaging to perform the work for the sum of Seventeen Shillings and sixpence per sheet, and three shillings for binding each copy.

Which latter Tender being the lowest, the House adopted.

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

THURSDAY, 14th April, 1859.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Dr. Young, President.

*The Hon. Mr. Sivabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,
Mr. Bagnall,*

*The Hon. Mr. Forgan,
Mr. Aldous,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.*

PRAYERS.

Read the proceedings of yesterday.

Pursuant to order, the House was adjourned during pleasure, and put into a Committee on the Address in answer to His Excellency's Speech.—After some time, the House was resumed, and Mr. Aldous reported, that the Committee had gone through the Address, and had made several amendments thereto.

Ordered, That the Report of the Committee be received.

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

Ordered, That the said Address be engrossed.

On motion, the said Address was, as engrossed, read the third time; whereupon *Mr. President* signed the same, and which is as followeth:

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

May it please your Excellency;

We, Her Majesty's dutiful and loyal subjects, the Legislative Council in General Assembly convened, beg to offer our thanks for Your Excellency's Speech at the opening of the present Session.

We beg to assure Your Excellency of our readiness under the circumstances of the country, to devote our time cheerfully and diligently to the adoption of such measures as may be necessary to sustain public credit.

We rejoice to find that, notwithstanding the great difficulties which have oppressed and limited the movements of the commercial world, the deficiencies in the revenue of this Island are far less than at such a crisis might have been reasonably apprehended; and we trust the embarrassment which we have shared in common with the rest of the world, will soon disappear.

We hope that these difficulties to which Your Excellency has alluded will, in some measure, receive alleviation from the happy circumstance that the labours of the agricultural population have, through Divine Favour, been blessed by a plentiful harvest.

The progressive increase of the Fisheries, although by no means commensurate with the capabilities of the Colony, affords satisfactory hope that this source of prosperity may be at length rendered available.

The question of a Federal Union of Her Majesty's North American Provinces is one beset with difficulties; but should any proposition, suited to the isolated position of this Colony, be made on this subject, it will receive our anxious consideration.

When we shall obtain official knowledge of the Despatches of Her Majesty's Colonial Minister, to which Your Excellency makes allusion, they shall receive our careful attention.

We learn with regret of Your Excellency's intended departure from our shores. Wherever Providence may guide your steps, we trust that health and happiness may attend Your Excellency. We cannot suffer this opportunity to pass without conveying to Your Excellency the expression of our high sense of the strict impartiality with which, under circumstances of much difficulty, you have exercised Her Majesty's authority in this Island, not only with credit to yourself, but also to the satisfaction of a large majority of the Inhabitants of this loyal Colony.

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

Ordered, That the same Committee who prepared the Address, be a Committee to wait on His Excellency, to know when he will be pleased to receive this House with their Address.

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

FRIDAY, 15th April, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

The Honorable Dr. Young, President ;

The Hon. Mr. Swabey,

The Hon. Mr. Forgan,

Mr. Dingwell,

Mr. Aldous,

Mr. Walker,

Mr. Hutchinson,

Mr. Craswell,

Mr. MacIntyre,

Mr. Wright,

Mr. Johnson.

PRAYERS.

Read the proceedings of yesterday.

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

“ House of Assembly, 12th April, 1859.]

“ Resolved, That a Committee be appointed on the part of this House; to join a Committee of the Legislative Council, to take charge of the Government House and Public Furniture.

“ Ordered, That the Hon. Mr. Gray, Hon. Mr. Laird, Mr. Davies and the Hon. Mr. Haviland do compose the said Committee.

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

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

“ House of Assembly, 12th April, 1859.

“ Resolved, That a Committee of Six Members be appointed on the part of this House, to join a Committee of the Legislative Council, to take charge of the Legislative Library.

“ Ordered, That the Hon. Mr. Haviland, Hon. Mr. Gray, Hon. Mr. Longworth, Hon. Mr. Palmer, Hon. Mr. Whelan, and the Hon. Mr. Coles do compose the said Committee.

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

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

“ House of Assembly, 12th April, 1859.

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

“ Ordered, That the Hon. Mr. Longworth, Hon. Mr. Gray, Hon. Mr. Yeo, Mr. Davies, Hon. Mr. Perry, and Mr. Knight do compose the said Committee.

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

Resolved, That a Committee be appointed to join the Committee of the House of Assembly, to take charge of the Government House and Public Furniture.

Ordered, That *Mr. Aldous* and *Mr. Hutchinson* do compose the said Committee.

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

Resolved, That a Committee be appointed to join the Committee of the House of Assembly, to take charge of the Legislative Library.

Ordered, That *Mr. Swabey*, *Mr. Forgan* and *Mr. Johnson* do compose the said Committee.

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

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

Ordered, That *Mr. Swabey*, *Mr. Craswell* and *Mr. Forgan* do compose the said Committee.

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

Mr. Swabey, from the Committee appointed to wait on His Excellency the Lieutenant Governor, to know when he would be pleased to receive this House with their Address in answer to his Speech, reported, that they had waited on His Excellency, who was pleased to say, he would receive the Address on Monday next, at one o'clock.

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

SATURDAY, 16th April, 1859.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Dr. Young, President.

The Hon. Mr. Swabey,
Mr. Dingwell,
Mr. Craswell,
Mr. Wright,
Mr. Forgan,

The Hon. Mr. Aldous,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.

PRAYERS.

Read the proceedings of yesterday.

Mr. Aldous, by leave, presented a Petition of divers Inhabitants of Cascumpec, praying that this House will concur with the House of Assembly, in granting a sum of money for the erection of a Court House and Lock-up in Cascumpec.

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

Adjourned until Monday next, at Twelve o'clock.

MONDAY, 18th April, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

The Honorable Dr. Young, President;

The Hon. Mr. Swabey,

Mr. Dingwell,

Mr. Walker,

Mr. Craswell,

Mr. Wright,

The Hon. Mr. Forgan,

Mr. Aldous,

Mr. Hutchinson,

Mr. MacIntyre,

Mr. Johnson.

PRAYERS.

Read the proceedings of Saturday.

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

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

I thank you very sincerely for this Address, assuring me, as it does, of your cheerful co-operation in all necessary measures for the protection of the public interests; and I assure you that I most fully appreciate the very gratifying terms in which you allude to my approaching departure, and my administration of the Government of this Island.

Resolved, That a Special Committee be appointed, to whom shall be referred all Petitions relating to Education, to examine the same, and to report thereon to the House.

Ordered, That *Mr. Forgan, Mr. Aldous* and *Mr. Johneon* do compose the said Committee.

Resolved, That a Special Committee be appointed to whom shall be referred all Petitions relating to Agriculture, to examine the same, and to report thereon to the House.

Ordered, That *Mr. Walker, Mr. Craswell,* and *Mr. Bagnall* do compose the said Committee.

Resolved, That a Special Committee be appointed, to whom shall be referred all Petitions relating to Paupers, to examine the same, and to report thereon to the House.

Ordered, That *Mr. Dingwell*, *Mr. Hutchinson* and *Mr. MacIntyre* do compose the said Committee.

Resolved, That a Special Committee be appointed, to whom shall be referred all Petitions relating to Miscellaneous Subjects, to examine the same, and to report thereon to the House.

Ordered, That *Mr. Craswell*, *Mr. Forgan* and *Mr. Aldous* do compose the said Committee.

Mr. Forgan, by leave, presented a Petition of Ewen Morrison, of Ellis River, praying that this House will concur with the House of Assembly in granting him remuneration for ferrying the Mail Carrier over Ellis River Ferry, and for repairing his Scow.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

Mr. Forgan, also by leave, presented a Petition of Archibald C. Bickford, praying remuneration for his services as a Teacher at Ellis River.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Education.

Ordered, That the Petition of the Inhabitants of Cascumpec, presented to this House on Saturday the 16th instant, be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

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

TUESDAY, 19th April, 1859.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Dr. Young, President.

*The Hon. Mr. Swabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,*

*The Hon. Mr. Bagnall,
Mr. Forgan,
Mr. Aldous,
Mr. Hutchinson,
Mr. Johnson.*

PRAYERS.

Read the proceedings of yesterday.

Mr. Dingwell, by leave, presented a Petition of divers Inhabitants of Townships Numbers Thirty-eight and Thirty-nine, praying that a Post Office may be established at or near James Macdonald's farm, on the Saint Peter's Road.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

Mr. Dingwell also, by leave, presented a Petition of Simon Gill, Teacher at Morell Rear, setting forth, that the full allowance for his services has been withheld in consequence of his not having had the average number of Scholars in attendance during the last six months, and praying the favorable consideration of this House.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Education.

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

WEDNESDAY, 20th April, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

The Honorable Dr. Young, President;

*The Hon. Mr. Swabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,
Mr. Bagnall,*

*The Hon. Mr. Forgan,
Mr. Aldous,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.*

PRAYERS.

Read the proceedings of yesterday.

Mr. Hutchinson, by leave, presented a Petition of Catherine Dornan, of Charlottetown, Widow, in indigent circumstances, praying relief.

Ordered. That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Paupers.

Mr. Swabey laid before the House the Accounts of the Collector of Impost and Excise for Charlottetown; also, the Accounts of the Collectors of Impost and Excise for the several Out-Ports in this Island, for the year ending 31st December, 1858.

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

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

THURSDAY, 21st April, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

The Honorable Dr. Young, President;

*The Hon. Mr. Swabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,
Mr. Bagnall,*

*The Hon. Mr. Forgan,
Mr. Aldous,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.*

PRAYERS.

Read the proceedings of yesterday.

Mr. Swabey, by leave, presented a Petition of divers Inhabitants of Townships Numbers Thirty-six, Thirty-seven and Thirty-eight, setting forth, that the main road leading from Savage Harbour to Charlottetown is obstructed by three gates, to the great annoyance of travellers and the people of the surrounding Settlements, and praying that such measures may be adopted as will cause the said gates to be removed.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

The following Petitions were presented to the House, and the same were severally received and read, viz:—

By *Mr. Johnson*—A Petition of Henry Lecky, Teacher, praying remuneration for his services as such, at the back Settlement of Tryon River.

A Petition of Bethie Price, Teacher, praying remuneration for her services at South Shore, Bedeque.

By *Mr. President*—A Petition of Lewis Wicket, Teacher, and the Trustees of West Point School, Township Number Eight, praying that the said Teacher may be remunerated for his services for eight months last past.

By *Mr. Walker*—A Petition of Cornelius Harrington, praying remuneration for his services as a Teacher at Mill Road, Lot 45, his allowance having been withheld in consequence of there not being the average number of scholars in attendance as required by law.

By *Mr. Craswell*—A Petition of the Trustees of the Birch Hill District School, praying that Sarah Jane Lawson, their Teacher, may be remunerated for her services for twelve months.

Ordered, That the last five preceding Petitions be referred to the Special Committee appointed to report on all Petitions relating to Education.

The following Petitions were presented to the House, and the same were severally received and read, viz:—

By *Mr. Walker*—A Petition of Mary Kelly, of Charlottetown, Widow, in destitute circumstances with four female children, two of which are idiots—praying relief.

A Petition of Mary Ann Shea, of Charlottetown, in indigent circumstances, praying relief.

By *Mr. Craswell*—A Petition of Mary Francis, an infirm female Indian, in destitute circumstances, praying relief.

A Petition of Letitia Moorhead, of Township No. 16, formerly a Teacher for fourteen years, but who, from age and infirmity, is rendered disqualified for that service, and praying pecuniary aid.

A Petition of Margaret Clarkin, of Charlottetown, Widow, in indigent circumstances, praying relief.

A Petition of Alfred Horne, of Port Hill, setting forth his destitute condition in consequence of having lost his house and all he possessed by fire, and praying pecuniary aid.

Ordered, That the six last preceding Petitions be referred to the Special Committee appointed to report on all Petitions relating to Paupers.

By *Mr. Craswell*—A Petition of Daniel Scott, of York River, Farmer, praying that he may be reimbursed the sum of £34 5s. 10d., being the amount of costs incurred by him in an action at law, brought against the late Government, for the balance of his Contract for rebuilding Minchin's Point Wharf in the year 1857.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

The following Messages from His Excellency the Lieutenant Governor, were presented to the House by *Mr. Forgan*, which the House received standing, and the same were severally received and read, viz:

First Message:

“ D. DALY, Lieutenant Governor:

“ The Lieutenant Governor transmits for the information of the Legislative Council, the following Copies of Despatches on the subject of the Federal Union of the North American Provinces.

Despatch from Sir Edmund Head, of the 9th September, 1858, with its enclosure. ¶

Despatch from Sir E. B. Lytton, of the 10th September, 1858, No. 10, with its enclosures.

Despatch from Sir E. B. Lytton, of the 16th November, 1858, marked, Circular, No. 18.

Despatch from Sir Edmund Head, of the 10th January, 1859, with its enclosures.

“Government House, 19th April, 1859.”

(See Appendix No. 1.)

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

Your Committee appointed to examine and report upon what Laws have expired, or are about to expire, have to report as follows, viz:—

That the Act 12th Victoriae, cap. 34, intituled “An Act for the appointment of Clerks to Justices of the Peace, and to regulate proceedings had before them”—and

The Act 21st Victoriae, cap. 1, intituled “An Act for raising a Revenue,”—will expire on the 2d day of May next.

The Act 11th Victoriae, cap. 16, intituled “An Act to consolidate and amend the Laws now in force, authorising the appointment of Coal Meters, and to repeal a certain Act therein mentioned.”

The Act 14th Victoriae, cap. 8, intituled “An Act for the better preventing of Smuggling.”

The Act 15th Victoriae, cap. 4, intituled “An Act further to continue an Act, regulating Seamen shipped on board of any Ship or Vessel belonging to Prince Edward Island whilst within the precincts of the said Island.”

The Act 15th Victoriae, cap. 28, intituled “An Act to consolidate and amend the Acts now in force regulating the letting of Stalls in Charlottetown Market House, and for other purposes therein mentioned.”

The Act 21st Victoriae, cap. 15, intituled “An Act to continue, for certain purposes, the Seduction Act, and to make other provisions in lieu thereof as regards all future actions”—will expire respectively at the end of the present Session of this Honorable House.

And that the Act of the 18th Victoriae, cap. 31, intituled “An Act to authorise remuneration to the Members of the Legislative Council for their services in the General Assembly,” expired on the tenth day of May last.

W^M. FORGAN,
PATRICK WALKER, } Committee.

Ordered, That the Report of the Committee be received.

Second Message:

“D. DALY, Lieutenant Governor:

“The Lieutenant Governor transmits for the information of the Legislative Council, the following copies of Despatches, from the Secretary of State for the Colonies, regarding the contemplated guaranteed Loan :

Despatch from Sir E. B. Lytton, of the 24th September, 1858, No. 12.

Despatch from Sir E. B. Lytton, of the 3d December, 1858, No. 20.

“ Government House, 19th April, 1859.”

Third Message:

“ D. DALY, Lieutenant Governor:

“ The Lieutenant Governor transmits the following Documents, for the information of the Legislative Council :

Copy of a Despatch from Sir E. Bulwer Lytton, of the 20th October, 1858, No. 15.

Copy of a Letter from certain Proprietors and Agents of Land to Lord Stanley, praying that the Royal Assent may be withheld from the Fishery Reserves' Bill until time be allowed to memorialize the Queen on the subject, dated the 14th April, 1858.

Copy of a Letter from certain Proprietors and Agents of Land to Lord Stanley, transmitting a Memorial to be presented to the Queen against the Fishery Reserves' Bill, dated 10th June, 1858.

Copy of a Petition and Memorial to the Queen, against the Fishery Reserves' Bill.

Copy of a Letter from Mr. R. B. Stewart to Lord Stanley, accompanying Petition of Tenants and Freeholders, against the Fishery Reserves' Bill, dated 18th May, 1858.

Copy of a Petition from Mr. Charles Wright, regarding the Fishery Reserves' Bill, dated the 24th May, 1858.

“ Government House, 14th April, 1859.”

(See Appendix No. 2.)

Mr. Forgan also laid before the House the Public Accounts for the year ending 31st January, 1859, as arranged and classified by the Auditors, and also the Accounts of the Colonial Treasurer for the same period.

Ordered, That the same do lie on the Table.

Mr. Johnson, by leave, presented to the House a Bill to encourage and facilitate Vaccination in this Island, and the same was read the first time.

Adjourned until Monday next, at Twelve o'clock.

MONDAY, 25th April, 1859.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Dr. Young, President.

*The Hon. Mr. Swabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,*

*The Hon. Mr. Bagnall,
Mr. Forgan,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.*

PRAYERS.

Read the proceedings of Thursday last.

The following Petitions were presented to the House, and the same were severally received and read, viz:—

By *Mr. Dingwell*—A Petition of divers Inhabitants of St. Peter's Lake, Township No. 39, and vicinity, praying that the Act for the protection of Alewives Fisheries may be amended by preventing the setting and seining within a certain distance of the mouth or entrance of the Lake.

By *Mr. Forgan*—A Petition of the Mayor and Common Council of the City of Charlottetown, praying that this House will concur with the House of Assembly in granting a sum to repair Pownal Street Wharf.

A Petition of divers Inhabitants of Townships Numbers Sixty-three and Thirty, praying that this House will concur with the House of Assembly in granting a sum sufficient to procure a rope and winch for the scow at Elliot River Ferry.

By *Mr. Bagnall*—A Petition of divers Inhabitants of Township Number Twenty-five, praying that a Post Office may be established at the residence of Joseph Rogers.

A Petition of divers Inhabitants of Summerside and vicinity, praying that this House will concur with the House of Assembly in granting a sum in aid of individual subscription towards purchasing a Fire Engine.

A Petition of the Ministers, Trustees, and Members of the Calvinistic Baptist Church, of Bedeque, praying for an Act of Incorporation.

Ordered, That the last six preceding Petitions be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

By *Mr. MacIntyre*—A Petition of Artemas Morrow, Teacher, and the Trustees of the Morell District School, praying that this House will concur with the House of Assembly, in granting a sum as a remuneration for the services of the said Teacher.

A Petition of divers Inhabitants of Little Harbour School District, Township No. 45, praying remuneration for the services of Matthew Reville, an unlicensed Teacher for twelve months.

By *Mr. Forgan*—A Petition of John Stewart, Teacher of the Rona District School, Township No. 62, praying that this House will concur with the House of Assembly, in granting him the sum of £14 2s. 6d., which had been deducted from his usual semi-annual allowance in consequence of his not having had the average attendance of scholars required by law.

By *Mr. Bagnall*—A Petition of Robina Richardson, an unlicensed Teacher, praying remuneration for her services as such, at Summerside.

A Petition of Ellen Welsh, of Platt River, Township No. 17, praying that this House will concur with the House of Assembly in granting her the sum of £8 15s. which sum has been deducted from her half-yearly allowance, in consequence of there not being the average attendance of scholars required by law.

Ordered, That the last five preceding Petitions be referred to the Special Committee appointed to report on all Petitions relating to Education.

By *Mr. Bagnall*—A Petition of Ann Morrell, of Township No. 7, in destitute circumstances, with a daughter who is a lunatic, and praying relief.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Paupers.

Mr. Swabey submitted to the House, the following Resolution :

Resolved, That this House is of opinion, that the right of this Government to dispose of those Fishery Reserves, the soil of which is reserved to the Crown, is not a right depending on any obsolete claim as stated in the Despatch of the Right Honorable the Secretary of State, dated the 20th October, 1858, but one which is in frequent exercise, and cannot be alienated.

The question of concurrence being put thereon, the House divided, and it passed in the affirmative.

Ordered, That *Mr. Bagnall* have leave to absent himself for one week.

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

TUESDAY, 26th April, 1859.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Dr. Young, President;

*The Hon. Mr. Swabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,*

*The Hon. Mr. Forgan,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.*

PRAYERS.

Read the proceedings of yesterday.

The following Petitions were presented to the House, and the same were severally received and read, viz :—

By *Mr. Hutchinson*—A Petition of James Douglas Haszard, praying that this House will concur with the House of Assembly, in granting him the sum of £36 19s. 10d. for certain duties and services performed as Queen's Printer in the year 1844.

By *Mr. Walker*—A Petition of Josiah Grant, praying for an increase of Salary as Postmaster at Cascumpec.

Ordered, That the said Petitions be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

Mr. Craswell presented a Petition of John Bassett, Teacher at Wheatly School District, praying that this House will concur with the House of Assembly in granting him the sum of £12, which had been deducted from his half-yearly allowance in consequence of there not being the average number of scholars in attendance as required by law.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Education.

Mr. MacIntyre presented a Petition of Charles Maceachern, and others, inhabitants of Lots 44 and 45, setting forth the destitute condition of Annabella Macdonald, who is blind and also a cripple, and praying the favorable consideration of this House in her behalf

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Paupers.

A Message from the House of Assembly, by the Hon. Mr. Haviland, with a Bill intituled 'An Act to enable Aliens to hold Real Estate,' to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

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

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

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

WEDNESDAY, 27th April, 1859.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Dr. Young, President;

The Hon. Mr. Swabey,

The Hon. Mr. Forgan,

Mr. Dingwell,

Mr. Hutchinson,

Mr. Walker,

Mr. MacIntyre,

Mr. Craswell,

Mr. Johnson.

Mr. Wright,

PRAYERS.

Read the proceedings of yesterday.

Pursuant to order, the House was adjourned during pleasure, and put into a Committee on the Bill intituled 'An Act to enable Aliens to hold Real Estate.'—After some time, the House was resumed, and *Mr. Hutchinson* reported, that the Committee had gone through the Bill, and had agreed to the same, without any amendment.

Ordered, That the Report of the Committee be received.

The said Bill was read the third time.

Resolved, That the said Bill do pass.

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

The following Petitions were presented to the House by *Mr. Dingwell*, and the same were severally received and read, viz :—

A Petition of Charlotte Jane Alley, praying that this House will concur with the House of Assembly, in granting her allowance as a Teacher for six months at Cardigan, which has been withheld on the ground of a deficiency in the average daily attendance of pupils.

A Petition of John Macdonald, late Teacher of the Pownal District School, Township No. 49, praying that this House will concur with the House of Assembly in granting him the sum of £11 17s. 6d., which he claims for six months services, and which had been withheld in consequence of there not being the daily average attendance of pupils.

A Petition of Mary Ann Anderson, of Sea Cow Head, Western Bedeque, licensed Teacher, praying remuneration for her services for six months, amounting to £17 1s., which has been withheld in consequence of an alleged irregularity or breach of the rules for the government of schools.

A Petition of Henry Vickerson, late a Teacher at Elliot River, praying that this House will concur with the House of Assembly in granting him the sum of £12 0s. 7½d., which he claims as the balance for his services for six months, and which has been withheld in consequence of a very slight deficiency in the daily average attendance of pupils.

Ordered, That the last four preceding Petitions be referred to the Special Committee appointed to report on all Petitions relating to Education.

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

THURSDAY, 28th April, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

The Honorable Dr. Young, President.

*The Hon. Mr. Swabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,*

*The Hon. Mr. Forgan,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.*

PRAYERS.

Read the proceedings of yesterday.

The following Petitions were presented to the House, and the same were severally received and read, viz:—

By *Mr. Forgan*—A Petition of Margaret Morrison, of Bonshaw, in indigent circumstances, with an aged parent, who is very infirm, and praying relief.

A Petition of William G. Mugford, of Charlottetown, a cripple, in destitute circumstances, praying relief.

Ordered, That the two last preceding Petitions be referred to the Special Committee appointed to report on all Petitions relating to Paupers.

A Petition of John Mackinnon, late a Preventive Officer at Charlottetown, regarding the seizure of the Schooner Dragonet, in the year 1855, for a breach of the Revenue Law, and praying compensation for services performed by him.

A Petition of Duncan M'Phee and Hector Maclean, praying to be indemnified for certain work performed at Prince Street Wharf, and materials provided, in the year 1856.

Ordered, That the last two preceding Petitions be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

A Petition of James D. Gordon, of Cascumpec, Teacher, praying that this House will concur with the House of Assembly in granting him the amount which has been deducted from his half-yearly allowance, for the want of the average attendance of scholars.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

Mr. MacIntyre, by leave, presented a Petition of divers Inhabitants of Township Number Forty-seven, in King's County, and others, setting forth the great inconvenience which they labor under for want of a safe and convenient place for loading and shipping produce, the nearest place for that purpose being distant over sixteen miles, and that such inconvenience can be removed by opening the old channel connecting the water of Surveyor's Inlet or North Lake with the sea, and praying the favorable consideration of this House in the premises.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

John William Morrison, Esquire, having produced his Commission from His Excellency the Lieutenant Governor, appointing him Road Correspondent and Assistant Clerk of the Executive and Legislative Councils, took the usual oaths and his seat as Assistant Clerk of this House.

Mr. Swabey submitted to the House the following Resolution, viz:

Whereas it has been found practically inconvenient, and to interfere with the completion of the business of this House, that the Clerk of this House should fulfil likewise the duties of Clerk of the Executive Council, whilst, at the same time, the Assistant Clerk of this House is Assistant Clerk of that Council and Road Correspondent, and as the one or the other of the two Clerks of this House is particularly required during the sitting of an Executive Council while the Legislature is in Session: *Resolved, therefore*, that in the absence of any provision by Statute, this House do appoint an Extra Clerk.

The question of concurrence being put thereon, it was agreed to by the House.

Resolved, That John Ball, Esquire, be appointed Extra Clerk to this House.

A Message from the House of Assembly, by the Hon. Mr. Haviland, with a Bill intituled 'An Act for raising a Revenue'—to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

Ordered, That there be a call of the House to-morrow, and that the Clerk do notify absent Members.

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

FRIDAY, 29th April, 1859.

The Council met, pursuant to adjournment.

PRESENT:

<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Forgan,</i>
<i>Mr. Dingwell,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Walker,</i>	<i>Mr. MacIntyre,</i>
<i>Mr. Craswell,</i>	<i>Mr. Johnson.</i>
<i>Mr. Wright,</i>	

PRAYERS.

Read the proceedings of yesterday.

According to order the House was called over.

PRESENT.

The Hon. Mr. President,
Mr. Swabey,
Mr. Dingwell,
Mr. Craswell,
Mr. Wright,
Mr. Forgan,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.

ABSENT.

The Hon. Mr. Bagnall, on leave,
Mr. Aldous, without leave.

John Ball, Esquire, having taken the oath as Extra Clerk of this House, took his seat as such.

The Bill intituled 'An Act for raising a Revenue,' was read the second time.

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

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

A Message from the House of Assembly by the Hon. Mr. Longworth, with a Bill intituled, 'An Act to continue the Act authorizing the appointment of Coal Meters, except in so far as relates to Charlottetown';

Also—

A Bill intituled 'An Act to continue the Act for the better prevention of Smuggling'—to each of which they desire the concurrence of the Legislative Council.

The said Bills were severally read the first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled 'An Act for raising a Revenue.'—After some time, the House was resumed, and *Mr. Swabey* reported, that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read the third time.

Resolved, That the said Bill do pass.

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

A Message from the House of Assembly, by the Hon. Mr. Longworth, with a Bill intituled 'An Act to continue certain Acts therein mentioned'—to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

Resolved, That this House will, to-morrow, resolve itself into a Committee of the whole, to take into consideration the State of the Colony.

Ordered, That there be a call of the House to-morrow, and that the Clerk do notify absent Members.

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

SATURDAY, 30th April, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

<i>The Honorable Dr. Young, President ;</i>	
<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Forgan,</i>
<i>Mr. Dingwell,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Walker,</i>	<i>Mr. MacIntyre,</i>
<i>Mr. Craswell,</i>	<i>Mr. Johnson.</i>
<i>Mr. Wright,</i>	

PRAYERS.

Read the proceedings of yesterday.

According to order, the House was called over:

P R E S E N T :

The Hon. Mr. President,
Mr. Swabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,
Mr. Forgan,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.

A B S E N T :

The Hon. Mr. Bagnall—by leave of the House
Mr. Aldous—he having resigned his
 seat as a Member of this House.

Pursuant to order, the Bill intituled 'An Act to continue the Act, authorizing the appointment of Coal Meters, except in so far as relates to Charlottetown'—was read the second time.

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

Ordered, That the Report of the Committee be received.

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

Pursuant to order, the Bill intituled 'An Act to continue an Act for the better prevention of Smuggling'—was read the second time.

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

Ordered, That the Report of the Committee be received.

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

Pursuant to order, the Bill intituled 'An Act to continue certain Acts therein mentioned'—was read the second time.

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

Ordered, That the Report of the Committee be received.

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

Mr. Johnson, by leave, presented a Petition of John Renton and others, of Georgetown, praying that the Scotch Law as regards trial by Jury, may be introduced into this Island.

Ordered, That the said Petition be referred to a Special Committee to report thereon, by Bill or otherwise.

Ordered, That *Mr. Swabey*, *Mr. Forgan* and *Mr. Johnson* do compose the said Committee.

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

The House of Assembly, with their Speaker, having attended accordingly; Mr. Speaker addressed His Excellency as followeth:

" May it please Your Excellency:

" On behalf of Her Majesty's faithful Commons of Prince Edward Island, I have now to present a Bill intituled 'An Act for raising a Revenue,' to which I have humbly to request Your Excellency's assent."

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

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

Ordered, That the order of the day for the House in Committee on the State of the Colony be discharged, and that the same do stand as the order of the day for Monday next.

Adjourned until Monday next, at Twelve o'clock.

MONDAY, 2d May, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

<i>The Honorable Dr. Young, President;</i>	
<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Forgan,</i>
<i>Mr. Dingwell,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Walker,</i>	<i>Mr. MacIntyre,</i>
<i>Mr. Craswell,</i>	<i>Mr. Johnson.</i>
<i>Mr. Wright,</i>	

PRAYERS.

Read the proceedings of Saturday.

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

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

Resolved, That *Mr. Walker* be appointed one of the Committee for revising the Journal of this House, in the place of *Mr. Aldous*, who has resigned his seat as a Member of this House.

Pursuant to order, the Bill intituled 'An Act to continue the Act authorizing the appointment of Coal Meters, except in so far as relates to Charlottetown'—was read the third time.

Resolved, That the said Bill do pass.

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

Pursuant to order, the Bill intituled 'An Act to continue an Act for the better prevention of Smuggling'—was read the third time.

Resolved, That the said Bill do pass.

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

Pursuant to order, the Bill intituled 'An Act to continue certain Acts therein mentioned'—was read the third time.

Resolved, That the said Bill do pass.

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

The following Petitions were presented to the House, and the same were severally received and read, viz :—

By *Mr. Walker*—A Petition of divers Inhabitants of Cascumpec and vicinity, praying that a law may be passed to prevent the running at large of Swine within certain limits therein described.

A Petition of divers Inhabitants of the North and West Section of Prince County, praying for the appointment of a Fish Inspector in that District.

Ordered, That the last two preceding Petitions be referred to the Special Committee appointed to report on all Petitions relating to Miscellaneous subjects.

A Petition of Mary Haggerty, of Charlottetown, Widow, in indigent circumstances, praying relief.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Paupers.

By *Mr. Forgan*—A Petition of Ann Maclean, of West Devon, Township No. 10, an unlicensed Teacher, praying that this House will concur with the House of Assembly in granting her remuneration for her services as such.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Education.

According to order the House was called over:

PRESENT.

The Hon. Mr. President,
Mr. Swabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,
Mr. Forgan,
Mr. Hutchinson,
Mr. MacIntyre,
Mr. Johnson.

ABSENT.

The Hon. Mr. Bagnall—by leave of the House

The Order of the Day for the House in Committee on the State of the Colony being read;

The House was accordingly adjourned during pleasure, and put into a Committee thereon.—After some time, the House was resumed, and *Mr. Craswell* reported, that the Committee had made some progress, and that he was directed to move, that they may have leave to sit again.

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

A Message from the House of Assembly by the Hon. Mr. Yeo, with a Bill intituled “An Act further to continue an Act regulating Seamen shipped on board of any Ship or Vessel belonging to Prince Edward Island, whilst within the Precincts of the said Island”—to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the State of the Colony.—After some time, the House was resumed, and *Mr. Craswell* reported, that the Committee had agreed to the draft of an Address to Her Majesty the Queen, relative to the formation of the Government of this Colony.

On motion, That the Report of the Committee be agreed to, the House divided:

CONTENTS:

The Hon. Mr. President,
Mr. Swabey,
Mr. Dingwell,
Mr. Walker,
Mr. Craswell,
Mr. Wright,
Mr. Hutchinson,
Mr. MacIntyre.

NON-CONTENTS:

The Hon. Mr. Forgan,
Mr. Johnson.

And it passed in the affirmative.

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

TO THE QUEEN'S MOST EXCELLENT MAJESTY:

Most Gracious Sovereign ;

We, Your Majesty's faithful subjects, the Members of Your Majesty's Legislative Council of Prince Edward Island, in Colonial Parliament assembled, humbly approach your Throne with sentiments of loyalty and attachment to your august person and government.

Your Majesty was graciously pleased in the year 1851, to concede to your faithful subjects in Prince Edward Island, the benefits of Constitutional or Responsible Government.

To this end Your Majesty was pleased to give your Royal Assent to a Bill transmitted from this Legislature, and passed on the 23d April, 1851.

This Act conceded to this Island a system of Responsible Government similar to that which is in force in Your Majesty's neighboring Provinces of Canada, Nova Scotia and New Brunswick, together with Your Majesty's real and personal property, in exchange for the assumption by this Colonial Legislature of the payments necessary for the future support of the civil charges of Your Majesty's Government, as likewise of sundry pensions to persons indicated by Your Majesty, who had been long official servants of the Crown in this Island.

The conditions of this arrangement have been faithfully carried out on the part of your faithful subjects, and Your Majesty need not be reminded that Responsible Government consists in the Members of a Government being respectively Members of one or other branch of a Legislature, which is the practice now in force in the before named neighbouring Provinces.¹

At a recent Election, with the details of which it is not necessary to trouble Your Majesty, a small majority was obtained in the House of Assembly of parties who endeavoured to do away with the constitutional form of Government.

A majority, however, having been declared, it became the duty of the former administration to place their offices at the disposal of Your Majesty's representative.

Their successors have insisted on appointing to all the departmental and most important offices in the Colony persons who have no seats in the Legislature, and who are consequently in no way responsible to the people, and the statute whereby all persons accepting office under the Crown are, when Members of the Assembly, compelled to present themselves to their constituents for re-election, is thus evaded, and no parliamentary responsibility exists.

In the year 1854, when Your Majesty's affairs and the interests of your subjects were watched over by Sir Alexander Bannerman, now Lieutenant Governor of Newfoundland, a similar attempt to abrogate the constitution was made by the same parties, on that occasion Your Majesty's Legislative Council deemed it a duty they owed to Your Majesty and the country, to present to His Excellency the following Address :

“ To His Excellency SIR ALEXANDER BANNERMAN, Knight, Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, &c. &c. &c.

“ May it please your Excellency;

“ We, the Members of Her Majesty's Legislative Council of Prince Edward Island, are desirous of calling your Excellency's attention to the recent appointments to offices in the Government of this Island, made, as it appears to us, in violation of the compact entered into on your Excellency's arrival in the Colony, and calculated to deprive Her Majesty's subjects of the form of Government at that time graciously conceded to their representations and wishes by Her Majesty's command.

“ We consider ourselves justified in believing that that form of Government was understood to be Responsible Departmental Government, as in our estimation will be made evident on reference to your Excellency's Speech on your first meeting the Colonial Legislature, as well as to the Act of the 16th Victoria, Cap. 3, in both of which documents the nature of the Responsible Government granted was explained and described to be similar to that then in force in the Provinces of Canada, Nova Scotia and New Brunswick—a construction which has received its confirmation from its being so practised under your Excellency's auspices up to the time of the recent change of Government.

“ The conditions imposed on this Colony as their part of the compact, have been faithfully performed, whilst the proceedings of your Excellency's present advisers give us just cause to apprehend the departure from that compact which in our opinion was entered into on the part of the Crown.

“ We are prepared to admit that under the system conceded to us, a majority of the House of Assembly is constitutionally entitled to the possession of the Government, and readily acknowledge that were it not that Her Majesty's Royal allowance to an Act creating an entire new Franchise not yet acted on, connected with other circumstances, points out that the existing House of Assembly is not a true representation of the people—it would be the duty of this House to give your Excellency's Government a constitutional support, were it sought on terms honorable to the Members of this Council.

“ That notwithstanding the efficiency of this Branch of the Legislature is sensibly affected by having no adequate share in the Government of the Colony, we entirely repudiate the supposition that to a Government constructed on those principles which we conceive to be constitutional and

responsible, any difficulties would be offered by any majority of this House, which might differ from that Government on less important political opinions.

“We further beg to refer to your Excellency’s speech at the opening of the present Session, when you were pleased to state that you had received a requisition from several members of the Assembly, to convene the Legislature on an early day, they stating, that “they considered that no time should be lost in order to exclude by legal enactment, departmental officers from occupying seats in the Legislature,” your Excellency was pleased in reply to say, that you decline to call the Legislature together at an unusual period, because in so doing you might be deemed to admit that evils had arisen demanding an immediate change, whilst you bore testimony to the prosperity of the Colony under the existing form of Government.

“We agree with your Excellency that there exists no cause for alteration, nor do we recognise any desire for it on the part of the people.

“That in the meantime the offices of Keeper of Plans and Treasurer, filled heretofore by Members of this Council, are given to gentlemen having no seats in the Legislature.

“That in respect to the Treasurer in particular, the absence of that officer from one or other branch of the Legislature is not only a great inconvenience, when information is required, but withdraws that department from the surveillance of the public, which experience has shown to be so necessary to the maintenance of public confidence.

“Reviewing these circumstances, we beg to draw your Excellency’s attention to the fact that the Government have a majority in the House of Assembly, consisting of those who proposed to your Excellency their intention to pass legal enactments for the purpose of excluding departmental officers from the Legislature, notwithstanding which, no steps have been taken to carry out their expressed views on this matter; and two of that majority actually hold office and remain in the Legislature, yet they have made use of their official position as members of your Excellency’s Government, to introduce changes not warranted nor sought by the people.

“And thus it is proposed to Your Excellency to introduce ingredients of Government from the United States into the constitution of this Her Majesty’s Colony, *to which Her Majesty’s subjects are averse*, and which are in imitation of a system probably having its origin, not in any analagous circumstances, but in the fact that in a federal union the pretensions of the representatives of different States are very difficult of adjustment, and which is moreover accompanied by great and acknowledged practical evils, and is known to be disapproved of in the American States themselves, on the just ground, that their departmental officers are not the servants of the people, but of the President.

“We, therefore, pray that Your Excellency will be pleased to interfere and avert, in such manner as may in your wisdom appear best suited, these impending evils.”

After the ensuing prorogation this was followed by His Excellency’s dissolving the then House of Assembly, and after the Election of a new Parliament the departmental officers were constitutionally appointed from both Houses of the Legislature, and we know that His Excellency Sir Alexander

Bannerman's prompt decision in this matter was honored by Your Majesty's Royal approbation ; the somewhat adventitious circumstances of two very recent General Elections, render a similar course unadvisable in the present instance.

But if in the year 1854, there existed powerful reasons for so decisive a step, those reasons not only exist at the present time in their full extent, but much has been added to aggravate the injustice then done to this branch of the Legislature, for at that time there were in this House two Members named to take their part in the Executive Government, at this time, although there are two Honorable Gentlemen coinciding in political matters with the majority in the House of Assembly, and one of whom is now selected by themselves, the framers of the Government have not condescended to acknowledge the existence of the Legislative Council by placing either of these gentlemen in the Executive Government.

And here we think it proper to assure Your Majesty, that though a decided majority of this Council does not in general agree in opinion on public measures with the majority of the new House of Assembly, nothing can be further from our thoughts than to interrupt by our votes the legitimate proceedings of the House of Assembly, if such an intention should be alleged against us, we can but deny its veracity and appeal to the Journal of our House in the year 1854, when parties and circumstances were relatively the same for its refutation. The imputation can have no weight until it is borne out by our proceedings.

To sum up the groundwork of our humble representation, we complain of a total exclusion from the Executive Government of the Colony.

We beg most dutifully to lay before Your Majesty some further facts of which it appears to us to be our bounden duty to take care that Your Majesty should not remain uninformed.

In a population so mixed as this, it has been a just policy not altogether to exclude from the administration of its affairs the Roman Catholic population, consisting of 32,000 out of 71,000, as appears by the Census taken in 1855.

In the late Executive Council, out of nine Members, there were three Roman Catholics, in that just formed there is not one.

As things are, we Your Majesty's dutiful Members of your Legislative Council, and all your faithful Roman Catholic subjects, are excluded from any share in the Government of the Colony.

We need scarcely remark on the daily difficulties thrown in the way of all Legislative business by the absence from this House, not only of all departmental officers, but of any one whomsoever who can answer the smallest practical enquiry, either regarding administrative affairs, or the proceedings and intentions of the Government.

Under all these circumstances, we Your Majesty's faithful subjects, Members of Your Majesty's Legislative Council pray, that Your Majesty will be graciously pleased to give Your Royal Instructions that an administration may be formed to preside over the affairs of Your Majesty's loyal subjects in this Island in consonance with Your Majesty's gracious instructions at the time when your Royal Assent was given to the Civil List Bill passed in this Legislature on the 23d April, 1851, and that the compact then so generously entered into by Your Majesty, may not be disturbed.

Ordered, That the said Address be engrossed.

In amendment, it was moved by *Mr. Johnson*, that instead of the foregoing Address, the following Resolution be substituted:

Whereas by a Despatch, bearing date the 31st day of January, 1851, addressed by the Right Honorable Earl Grey, Her Majesty's Colonial Secretary, to Sir Alexander Bannerman, the late Lieutenant Governor of this Island, His Lordship was pleased to disallow the Act passed in the previous year by the Colonial Legislature of this Colony, to make provision for the Civil List thereof, principally on the grounds that the said Act contained a condition by which "A system of Responsible Government similar to that in force in the Provinces of Canada, New Brunswick, and Nova Scotia should be granted to and established in this Island."

And whereas by the said Despatch, Her Majesty's said Colonial Minister was pleased to declare that "The grant of Responsible Government had never been embodied, as a condition in similar Acts, and that so much as related to the said subject of Responsible Government should stand as was the case in the other North American Colonies referred to, on the faith of the Crown;" and also, that upon certain provisions being made for certain retiring Officers, then in the Civil Service of this Colony, "His Excellency the then Lieutenant Governor, the said Sir Alexander Bannerman, should be at liberty, without entering into particulars, to reconstruct the Executive Council in such manner as to include those who possessed the confidence of the Assembly."

And whereas the Members of Her Majesty's Executive Council, or Government of this Colony, and the principal Public Officers therein, resigned their seats and their said offices, shortly before the present meeting of the Legislature; and thereupon His Excellency the Lieutenant Governor was pleased to appoint a new Executive Council, with whom His Excellency is now administering the Government of this Colony.

And whereas His Excellency's said new Executive Council enjoy the confidence of the people of this Colony, as indicated by the support of at least eighteen against twelve of the Representatives in the present Colonial Parliament.

And whereas all, but one, of the twelve Members composing this Honorable House, have been appointed under the system of Departmental Government by the Lieutenant Governor and His Excellency's late Council, and a large majority of said twelve are gentlemen whose political opinions are well and popularly known to be in unison with the principles of Departmental Government, and which principles a large majority of the people have repudiated as totally at variance with their judgment and their wishes: And whereas the people of this Colony have repeatedly and unmistakably declared against being governed by heads of departments, as witnessed and proved at the hustings during the last two years especially, when out of five official gentlemen, who have appealed to the people for approval, namely, Commissioner of Public Lands, Attorney General, Treasurer, Colonial Secretary, and Postmaster-General, one only has been able to procure his return, viz: The Honorable Colonial Secretary.

Resolved, therefore, that in constructing the new administration of this Island, His Excellency the Lieutenant Governor has acted in accordance with the well understood wishes of its inhabitants, and that there exists no law or constitutional rule in this Colony, which demands the presence in either

branch of the Legislature, of any of the principal Salaried Officers of the Government; and that to require any or either of such Officials to be brought into the Legislature against the wishes of the people (who have found from practical experience, that the departmental rule is totally inapplicable to a Colony of such limited advantages for carrying on that form or system of Government,) would be unwise and a breach of that faith which was established between this Colony and the parent kingdom, when Her Majesty was pleased to concede to it the advantages of self-government.

The question of concurrence being put thereon, the House divided, and it passed in the negative.

Resolved, That a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to transmit the foregoing Address to Her Majesty the Queen, to be laid at the foot of the Throne.

Ordered, That *Mr. Swabey*, *Mr. Craswell* and *Mr. Walker* be a Committee for that purpose.

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

TUESDAY, 3d May, 1859.

The Council met, pursuant to adjournment.

PRESENT:

<i>The Honorable Dr. Young, President.</i>	
<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Forgan,</i>
<i>Mr. Dingwell,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Walker,</i>	<i>Mr. MacIntyre,</i>
<i>Mr. Craswell,</i>	<i>Mr. Johnson.</i>
<i>Mr. Wright,</i>	

PRAYERS.

Read the proceedings of yesterday.

Mr. Forgan delivered the following Message from His Excellency the Lieutenant Governor, which the House received standing, and the same was read, viz:

“ **D. DALY**, Lieutenant Governor.

“ The Lieutenant Governor deems it his duty to bring the state of Government House under the notice of the Legislature, with a view to the adoption of such

means as may be found necessary for rendering it more suitable to the purposes for which it was constructed than is at present, or has for some years past been the case.

“From defects in its original construction, or from the perishable nature of the materials employed, or it may be from both causes, the House is scarcely habitable in the Winter Season, and becomes annually worse.

“The Stables and other Buildings likewise require repairs, and the Furniture supplied at the public cost, in some respect, requires to be replenished.

“Government House,
Prince Edward Island, 2d May, 1859.”

On motion of *Mr. Swabey*, the following Resolution was agreed to, viz:—

Resolved, That a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to cause any communication with which he may honor this House, to be delivered according to Parliamentary usage, either by a Member of the House, being an Executive Councillor, or by His Excellency's Private Secretary.

Ordered, That *Mr. Swabey*, *Mr. Craswell* and *Mr. Walker* be a Committee to prepare the said Address.

Mr. President presented to the House a Bill to amend the Acts concerning the Property of the Methodist Church in Prince Edward Island.

The said Bill was read the first time.

The Bill intituled “An Act further to continue an Act respecting Seamen shipped on board of any Ship or Vessel belonging to Prince Edward Island, whilst within the Precincts of the said Island,” was read the second time.

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

Ordered, That the Report of the Committee be received.

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

Mr. Forgan laid before the House the Accounts of the Commissioner of Crown and Public Lands for the past year.

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

(See Appendix No. 3.)

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

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

May it please Your Excellency;

The Legislative Council respectfully request that Your Excellency will be pleased, at your earliest convenience, to forward their Address, relative to the formation of the Government of this Colony, in order that it may be humbly and respectfully laid at the foot of Her Majesty's Throne.

Ordered, That the said Address be engrossed.

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

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

WEDNESDAY, 4th May, 1859.

The Council met, pursuant to adjournment.

P R E S E N T:

The Honorable Dr. Young, President;

The Hon. Mr. Swabey,

The Hon. Mr. Bagnall,

Mr. Dingwell,

Mr. Forgan,

Mr. Walker,

Mr. Hutchinson,

Mr. Craswell,

Mr. MacIntyre,

Mr. Wright,

Mr. Johnson.

PRAYERS.

Read the proceedings of yesterday.

Pursuant to order, the Bill intituled "An Act further to continue an Act regulating Seamen shipped on board of any Ship or Vessel belonging to Prince Edward Island, whilst within the Precincts of the said Island," was read the third time.

Resolved, That the said Bill do pass.

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

The Bill to amend the Acts concerning the Property of the Methodist Church in Prince Edward Island, was read the second time.

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

Ordered, That the Report of the Committee be received.

Ordered, That the said Bill be engrossed, and that the Title be “An Act to amend the Acts concerning the Property of the Methodist Church in Prince Edward Island.”

Mr. Forgan laid before the House, copy of the Blue Book for the year 1857.

Ordered, That the same do lie on the Table.

The following Petitions were presented to the House, and the same were severally received and read, viz:—

By *Mr. Forgan*—A Petition of Mary Redmond, of Montague River, Township No. 52, in destitute circumstances, praying relief.

A Petition of Barbara M'Kenzie, of Montague River, in destitute circumstances, praying relief.

A Petition of Alexander Fraser, of New Perth, Township No. 52, who has a helpless family in destitute circumstances, and praying relief.

Ordered, That the three last preceding Petitions be referred to the Special Committee appointed to report on all Petitions relating to Paupers.

By *Mr. Dingwell*—A Petition of Ephraim B. Smith, praying remuneration for his services as a Teacher at Georgetown Royalty, for a period of six Months, his allowance having been withheld through some informality in his Return, which was forwarded to the Board of Education.

Ordered, That the said Petition be referred to the Special Committee appointed to report on all Petitions relating to Education.

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

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

May it please Your Excellency;

The Legislative Council beg respectfully to notify Your Excellency that the several Messages which you did the honor to send to this House during the present Session have not been delivered to this House according to Parliamentary usage by any Member of this House, being a Member of the Executive Council, or by any other authorized individual.

The Council consider it important to their proceedings that there should be no departure in this matter from the practice heretofore in use, and humbly request that Your Excellency will be pleased to make such order in the premises as to Your Excellency shall seem meet.

Ordered, That the said Address be engrossed.

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

Resolved, That the Committee appointed on the first day of the present Session to make arrangements for the publication of the proceedings of this House be discharged, and that the following Members of the House be appointed a Committee for that purpose, viz :

Mr. Swabey, Mr. Hutchinson and Mr. Johnson.

Mr. Swabey from the Committee appointed to wait on His Excellency the Lieutenant Governor with the Address, requesting that His Excellency will be pleased to forward the Address of this House to Her Majesty, relative to the formation of the Government of this Colony, reported the delivery thereof, and that His Excellency was pleased to say, he would forward the Address, as requested by this House.

Mr. Swabey from the Committee appointed to wait on His Excellency the Lieutenant Governor, with the Address relative to the mode of sending Messages to this House, reported the delivery thereof, and that His Excellency was pleased to say, he would give the subject due consideration and attention.

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

THURSDAY, 5th May, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

<i>The Honorable Dr. Young, President;</i>	
<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Bagnall,</i>
<i>Mr. Dingwell,</i>	<i>Mr. Forgan,</i>
<i>Mr. Walker,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Craswell,</i>	<i>Mr. MacIntyre,</i>
<i>Mr. Wright,</i>	<i>Mr. Johnson.</i>

P R A Y E R S .

Read the proceedings of yesterday.

A Message from the House of Assembly, by the Hon. Mr. Haviland, with a Bill intituled "An Act to amend the Act for the transfer of the management of the Inland Posts within Prince Edward Island"—to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

A Message from the House of Assembly, by the Hon. Mr. Pope, with a Bill intituled "An Act to Incorporate the Trustees of the Baptist Church at Bedeque"—to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

A Message from the House of Assembly, by the Hon. Mr. Wightman, with a Bill intituled "An Act for regulating the size and quality of Fish Barrels and Tierces and the weight of Fish made up therein, and for the appointment of Fish Inspectors; also, to regulate the Inspection of Pickled Fish for sale within this Island, and to repeal a certain Act therein mentioned"—to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

A Message from the House of Assembly by the Hon. Mr. Longworth, with a Bill intituled "An Act to enable the Supreme Court of Judicature to give relief against adverse claims made against Sheriffs, and other persons having no interest in the subject of such claims"—to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

The Bill intituled "An Act to incorporate the Trustees of the Baptist Church at Bedeque," was read the second time.

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

Ordered, That the Report of the Committee be received.

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

The Bill intituled "An Act to amend the Act for the transfer of the management of the Inland Posts within Prince Edward Island," was read the second time.

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

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

The Bill intituled "An Act for regulating the size and quality of Fish Barrels and Tierces and the weight of Fish made up therein, and for the appointment of Fish Inspectors; also, to regulate the Inspection of Pickled Fish for sale within this Island, and to repeal a certain Act therein mentioned," was read the second time.

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

Ordered, That the Report of the Committee be received.

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

The Bill intituled "An Act to amend the Act to enable the Supreme Court of Judicature to give relief against adverse claims made against Sheriffs, and other persons having no interest in the subject of such claims," was read the second time.

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

Ordered, That *Mr. Dingwell* have leave to absent himself for one week.

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

FRIDAY, 6th May, 1859.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Dr. Young, President.

The Hon. Mr. Swabey,

The Hon. Mr. Forgan,

Mr. Walker,

Mr. Hutchinson,

Mr. Craswell,

Mr. MacIntyre,

Mr. Wright,

Mr. Johnson.

Mr. Bagnall,

PRAYERS.

Read the proceedings of yesterday.

Mr. President laid before the House the Statistics of New Zealand, for the year 1857.

Ordered, That the same do lie on the Table.

Pursuant to order, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act to amend the Act to enable the Supreme Court of Judicature to give relief against adverse claims made against Sheriffs, and other persons having no interest in the subject of such claims."—After some time, the House was resumed, and *Mr. Forgan* reported, that the Committee had gone through the Bill, and had agreed to the same, without any amendment.

Ordered, That the Report of the Committee be received.

The said Bill was read the third time.

Resolved, That the said Bill do pass.

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

Pursuant to order, the Bill intituled "An Act for regulating the size and quality of Fish Barrels and Tierces, and the weight of Fish made up therein, and for the appointment of Fish Inspectors; also, to regulate the Inspection of Pickled Fish for sale within this Island, and to repeal a certain Act therein mentioned"—was read the third time.

Resolved, That the said Bill do pass.

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

Pursuant to order, the Bill intituled “An Act to Incorporate the Trustees of the Baptist Church at Bedeque”—was read the third time.

Resolved, That the said Bill do pass.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “An Act to amend the Act for the transfer of the management of the Inland Posts within Prince Edward Island.”—After some time, the House was resumed—

Mr. Swabey moved that the House do come to the following Resolution, viz:—

Resolved, That it is the opinion of this House, that to exact the prepayment of letters posted by persons in this Island, as proposed by the Bill which the House have had under consideration, intituled “An Act to amend the Act for the transfer of the management of the Inland Posts within Prince Edward Island,” would have an effect on the poorer part of the population, detrimental to their correspondence both within and without its precincts; as regards the external correspondence, the necessity of prepayment of a letter, would, in all probability, put an end to all correspondence between the poorer inhabitants of the Island, and their relations and friends—the circumstances of the latter for the most part, admit of the prepayment of postage by them, whilst it would be extremely inconvenient to their correspondents in this Island.

The question of concurrence being put on the said Resolution, the House divided, and it passed in the affirmative.

DISSENTIENT—

Mr. Forgan.

Mr. Forgan laid before the House, copy of the Estimates for the service of the current year,

Ordered, That the same do lie on the Table.

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

SATURDAY, 7th May, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

<i>The Honorable Dr. Young, President;</i>	
<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Forgan,</i>
<i>Mr. Craswell,</i>	<i>Mr. MacIntyre,</i>
<i>Mr. Wright,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Bagnall,</i>	<i>Mr. Johnson.</i>

PRAYERS.

Read the proceedings of yesterday.

Mr. Swabey laid before the House, the Report of the Visitor of Schools for the past year.

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

(See Appendix No. 5.)

Adjourned until Monday next, at Twelve o'clock.

MONDAY, 9th May, 1859.
P R E S E N T ;

<i>The Honorable Dr. Young, President;</i>	
<i>The Hon. Mr. Craswell,</i>	<i>The Hon. Mr. Forgan,</i>
<i>Mr. Wright,</i>	<i>Mr. MacIntyre.</i>
<i>Mr. Bagnall,</i>	

PRAYERS.

There not being a Quorum;

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

TUESDAY, 10th May, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Bagnall,</i>
<i>Mr. Walker,</i>	<i>Mr. Forgan,</i>
<i>Mr. Craswell,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Wright,</i>	<i>Mr. MacIntyre,</i>
	<i>Mr. Johnson.</i>

PRAYERS.

Read the proceedings of Saturday last.

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

A Petition of the Minister and Trustees of the Free Church congregation at Bedeque Road, praying for an Act of Incorporation.

A Petition of the Minister and Trustees of the Free Church congregation at New London, praying for an Act of Incorporation.

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

A Message from the House of Assembly by the Hon. Mr. Haviland, with a Bill intituled "An Act to Incorporate the Minister and Trustees of the Free Church Congregation at Bedeque Road;"

Also—

A Bill intituled "An Act to Incorporate the Minister and Trustees of the Free Church Congregation at New London"—to each of which they desire the concurrence of the Legislative Council.

The said Bills were severally read the first time.

The Bill intituled "An Act to Incorporate the Ministers and Trustees of the Free Church Congregation, at Bedeque Road," was read the second time.

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

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

Ordered, That the Report of the Committee be received.

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

The Bill intituled "An Act to Incorporate the Minister and Trustees of the Free Church Congregation, at New London," was read the second time.

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

Ordered, That the Report of the Committee be received.

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

Ordered, That *Mr. MacIntyre* have leave to absent himself for one week.

Ordered, That *Mr. Bagnall* have leave to absent himself to-morrow, on public business.

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

WEDNESDAY, 11th May, 1859.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Dr. Young, President.

The Hon. Mr. Swabey,

The Hon. Mr. Forgan,

Mr. Walker,

Mr. Hutchinson,

Mr. Craswell,

Mr. Johnson.

Mr. Wright,

PRAYERS.

Read the proceedings of yesterday.

Pursuant to order, the Bill intituled "An Act to Incorporate the Minister and Trustees of the Free Church Congregation at New London"—was read the third time.

Resolved, That the said Bill do pass.

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

Pursuant to order, the Bill intituled "An Act to Incorporate the Minister and Trustees of the Free Church Congregation at Bedeque Road"—was read the third time.

Resolved, That the said Bill do pass.

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

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

" Mr. President,

" The House of Assembly have passed the Bill intituled "An Act to amend the Acts concerning the Property of the Methodist Church in Prince Edward Island"—with several amendments, to which they desire the concurrence of the Legislative Council."

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

Folio 2, line 10—Strike out the word "Act," and insert " Acts."

Same folio, line 12—Strike out the word "Act," and insert "Acts,"

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

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

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

The Bill intituled "An Act further to amend the Act incorporating the Charlotte-town Gas Light Company"—was read the second time.

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

Ordered, That the Report of the Committee be received.

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

Adjourned until on Monday next, at Twelve o'clock.

MONDAY, 16th May, 1859.

The Council met, pursuant to adjournment.

PRESENT:

<i>The Honorable Dr. Young, President;</i>	
<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Bagnall,</i>
<i>Mr. Walker,</i>	<i>Mr. Forgan,</i>
<i>Mr. Craswell,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Wright,</i>	<i>Mr. Johnson.</i>

PRAYERS.

Read the proceedings of Friday last.

Pursuant to order, the Bill intituled "An Act further to amend the Act incorporating the Charlottetown Gas Light Company"—was read the third time.

Resolved, That the said Bill do pass.

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

A Message from the House of Assembly, by the Hon. Mr. Haviland, with a Bill intituled "An Act to amend the Act to consolidate and amend the Laws relating to Statute Labour, and the Expenditure of Public Moneys on the Highways"—to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

The Bill intituled "An Act to extend the Criminal Jurisdiction of the Police Court in the City of Charlottetown"—was read the second time.

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

Ordered, That the Report of the Committee be received.

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

Folio 2, line 1—Strike out the word "Twenty," and insert "Ten."

Same folio, line 3—Strike out the word "twelve," and insert "three."

Same folio, line 7—After the word "way," insert "and the said Police Court is hereby required
" to notify each offender of such power, immediately before the trial of such
" offender."

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

The Bill intituled "An Act to amend the Act to consolidate and amend the Laws relating to Statute Labour, and expenditure of Public Moneys on the Highways"—was read the second time.

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

Ordered, That the Report of the Committee be received.

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

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

TUESDAY, 17th May, 1859.

The Council met, pursuant to adjournment.

P R E S E N T :

<i>The Honorable Dr. Young, President ;</i>	
<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Bagnall,</i>
<i>Mr. Walker,</i>	<i>Mr. Forgan,</i>
<i>Mr. Craswell,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Wright,</i>	<i>Mr. Johnson.</i>

PRAYERS.

Read the proceedings of yesterday.

Pursuant to order, the Bill intituled "An Act to extend the Criminal Jurisdiction of the Police Court in the City of Charlottetown"—was, as amended, read the third time.

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

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

Pursuant to order, the Bill intituled "An Act to amend the Act to consolidate and amend the Laws relating to Statute Labour, and the expenditure of Public Moneys on the Highways"—was read the third time.

Resolved, That the said Bill do pass.

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

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

WEDNESDAY, 18th May, 1859.

The Council met, pursuant to adjournment.

PRESENT:

The Honorable Dr. Young, President.

The Hon. Mr. Swabey,

The Hon. Mr. Bagnall,

Mr. Walker,

Mr. Forgan,

Mr. Craswell,

Mr. Hutchinson,

Mr. Wright,

Mr. Johnson.

PRAYERS.

Read the proceedings of yesterday.

Ordered, That the second reading of the Bill to encourage and facilitate Vaccination in Prince Edward Island, do stand as the order of the day for to-morrow.

A Message from the House of Assembly, by the Hon. Mr. Longworth, with a Bill intituled "An Act to amend the Act for the protection of the Herring and Alewives' Fisheries in this Island"—to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

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

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

Ordered, That the Report of the Committee be received.

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

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

"Mr. President,

"The House of Assembly desire a Conference with the Legislative Council, on the amendments made to the Bill intituled "An Act to extend the Criminal Jurisdiction of the Police Court in the City of Charlottetown," and have appointed the Hon. Mr. Palmer, the Hon. Mr. Thornton, the Hon. Mr. Haviland and Mr. Macneill, a Committee to manage the said Conference."

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

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

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

And the names of the managers being called over, they went to the Conference—and being returned, reported, that they had met the managers for the House of Assembly, who delivered to them the Bill, with the amendments, and also a Paper containing as follows:

The House of Assembly agree to the first and third of the amendments made by the Legislative Council to the Bill intituled “An Act to extend the Criminal Jurisdiction of the Police Court in the City of Charlottetown”—but they have disagreed to the second amendment for the following reasons:

FIRST.—Because although the House of Assembly have deemed it necessary to fix a certain value on the property stolen, as the only feasible and convenient method of defining a limit to the Jurisdiction which, in the case in question, they would confer on the Police Court; yet they are fully aware, that the degree of crime in numerous instances, depends more on the facts of each special case of larceny than on the value of the property stolen; and that many thefts of property intrinsically of small value, may be perpetrated under the most unmitigated circumstances, and such as would call for imprisonment for a longer period than three months, and therefore, under the amendment proposed by the Legislative Council, a failure of Justice would necessarily ensue in many cases.

And SECONDLY—Because a sentence of imprisonment for three months only, at certain seasons of the year, namely, commencing at the approach of Winter would prove of very little punishment to certain characters who are often convicted of this offence.

Resolved, That a further Conference be desired with the House of Assembly, on the amendments made to the Bill intituled “An Act to extend the Criminal Jurisdiction of the Police Court in the City of Charlottetown.”

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

Resolved, That at such Conference, the managers be instructed to acquaint the managers for the House of Assembly, that this House doth not insist on the amendment substituting a term of Three months' imprisonment for Twelve, as proposed

by the **Bill**, but doth agree that **Six** months be the term enacted; considering that extent of **Jurisdiction** adequate to the purposes contemplated by the **Bill**.

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

“ Mr. President,

“ The House of Assembly do agree to a further Conference as is desired by the Legislative Council, on the amendments made to the **Bill** intituled “An Act to extend the Criminal Jurisdiction of the Police Court in the City of Charlottetown,” and have appointed the same Committee who managed the former Conference thereon, a Committee to manage this further Conference.”

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

A Message from the House of Assembly by the Hon. Mr. Haviland, with a **Bill** intituled “ An Act for appropriating certain Moneys therein mentioned, for the service of the year of our Lord one thousand eight hundred and fifty-nine”—to which they desire the concurrence of the Legislative Council.

The said **Bill** was read the first time.

Then the House adjourned until four o'clock this afternoon,

And being met—

The **Bill** intituled “ An Act for appropriating certain Moneys therein mentioned; for the service of the year of our Lord one thousand eight hundred and fifty-nine”—was read the second time.

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

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

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

Pursuant to order, the Bill intituled "An Act to amend the Act for the protection of the Herring and Alewives' Fisheries in this Island"—was read the third time.

Resolved, That the said Bill do pass.

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

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

" Mr. President;

" The House of Assembly do agree to a Conference as is desired by the Legislative Council, on the Bill intituled "An Act for appropriating certain Moneys therein mentioned, for the service of the year of our Lord one thousand eight hundred and fifty-nine"—and have appointed the Hon. Mr. Palmer, the Hon. Mr. Longworth, Mr. Montgomery, the Hon. Mr. Haviland, Mr. Howat, and the Hon. Mr. Thornton, a Committee to manage the said Conference."

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

Ordered, That *Mr. Craswell* have leave to absent himself to-morrow.

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

THURSDAY, 19th May, 1859.

The Council met, pursuant to adjournment.

PRESENT:

<i>The Honorable Dr. Young, President.</i>	
<i>The Hon. Mr. Swabey,</i>	<i>The Hon. Mr. Forgan,</i>
<i>Mr. Walker,</i>	<i>Mr. Hutchinson,</i>
<i>Mr. Wright,</i>	<i>Mr. Johnson.</i>
<i>Mr. Bagnall,</i>	

PRAYERS.

Read the proceedings of yesterday.

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

“ Mr. President,

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

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

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

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

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

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

“ Mr. President,

“The House of Assembly desire a further Conference with the Legislative Council, on the amendments made to the Bill intituled “ An Act to extend the Criminal Jurisdiction of the Police Court of the City of Charlottetown”—and have appointed the same Committee who managed the former Conference thereon, a Committee to manage this further Conference.”

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

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

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

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

A Message from the House of Assembly, by the Hon. Mr. Palmer, with a Bill intituled "An Act to amend the Act to Incorporate the Town of Charlottetown"—to which they desire the concurrence of the Legislative Council.

The said Bill was read the first time.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill intituled "An Act for appropriating certain Moneys therein mentioned, for the service of the year of our Lord one thousand eight hundred and fifty-nine"—After some time, the House was resumed, and *Mr. Walker* reported, that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read the third time.

Resolved, That the said Bill do pass.

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

Ordered. That the Bill intituled "An Act to amend the Act to Incorporate the Town of Charlottetown", be read a second time this day six months.

On motion of *Mr. Swabey*, the House came to the following Resolution, viz:—

Whereas it appears that the House of Assembly, in a certain Address to Her Majesty, lately agreed on, has charged this House with misrepresenting the facts connected with the dissolution of a former Assembly, by Sir Alexander Bannerman, in the year 1854: *Resolved, therefore*, that an humble Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to forward with the Address of the House of Assembly certain Extracts from the Royal Gazette, bearing date the 30th May, 1854, which this House conceives will bear out any statements they have made on the subject, in the humble Address to Her Majesty, which this House had the honor to request His Excellency to transmit to Her Majesty on the 4th instant.

Ordered, That *Mr. Swabey*, *Mr. Bagnall* and *Mr. Hutchinson* be a Committee to prepare the said Address.

The order of the day for the second reading of the Bill to encourage and facilitate Vaccination in Prince Edward Island, being read—

Ordered, That the same be discharged, and that the said Bill be read the second time this day six months.

Mr. Swabey from the Committee appointed to prepare an Address to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to forward with the Address of the House of Assembly to Her Majesty, certain Extracts from the Royal Gazette, of the 30th May, 1854—reported the draft of an Address as prepared by the Committee, and the same was read and agreed to, and is as followeth :

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

May it please Your Excellency ;

Having been informed that the Legislative Council is charged in a certain Address agreed on in the House of Assembly, and transmitted to Your Excellency with the view of its being laid at the foot of the Throne—with misrepresenting the facts connected with the dissolution of a former Assembly by Sir Alexander Bannerman, in the year 1854—we respectfully request, that Your Excellency will be pleased to forward with the said Address, the following Extracts from the Royal Gazette of 30th May, 1854, which we think will bear out any statements we have made on the subject in the humble Address to Her Majesty, which we had the honor to request Your Excellency to transmit to Her Majesty, on the fourth instant:

Government House; 29th May, 1854.

“The Lieutenant Governor embraces this opportunity to allude to a topic, about which much has been already said, and perhaps more will be said and written in future, namely, the Dissolution of the late House of Assembly.

“The Lieutenant Governor assures the People of Prince Edward Island that, after due deliberation, he exercised a right which is invested in him; that he possesses the power to prorogue, adjourn and dissolve the House of Assembly, with or without the advice of his Executive Council; and his removing to another Colony will not shelter him from the censure of his Sovereign, which he would well merit, if he has disobeyed Her Majesty's instructions, acted unconstitutionally or unjustly to any of the Queen's subjects.

“The introduction of the new system does not alter the position of the Administrator of the Government, in so far as relates to those powers which are vested in him by the Crown. What is usually termed “Responsible Government,” has no legal definition; nor is this of much consequence, as the term is well understood for all practical purposes; and in the Speech with which the Lieutenant Governor closed the Session of 1851, will be found his definition of “Responsible Government”—a definition which has been, he is glad to say, approved of by high authority.

“When the change of Government occurred in February last, the Lieutenant Governor foresaw that, if the new administration persevered in following out their plan of excluding Salaried or Departmental Officers from seats in the Legislature (a principal adopted in the United States), it would prove an element of discord, and produce a collision with the two branches of the Legislature.

“It was on the 19th April that the Legislative Council passed an Address, couched in no unmistakable terms. The Lieutenant Governor received that document on the 20th; and on the 21st, for-

warded a copy to the Colonial Minister; confidentially communicating to him the state of parties in the Colony, and that nothing, in his opinion, would determine the question on which the Assembly and Council were at variance, and enable the present, or any other Government to perform their Executive functions and duties to the public, but an appeal to the Country—an alternative which, in all probability, the Lieutenant Governor would resort to, not asking the Duke of Newcastle whether such a power was vested in the Lieutenant Governor, but asking His Grace whether it was advisable, in the present state of matters, to continue some months longer in the Island.

“Immediately after the presentation of the Petition relative to the New Franchise Bill, the Lieutenant Governor directed the attention of the Executive Council to its prayer, and also to the state of the Colony, intimating his determination to dissolve the House of Assembly; and, after some subsequent correspondence and discussion with the Council, they disagreed with him. Since that time, the Lieutenant Governor has received the Despatch alluded to, in which the Duke of Newcastle is pleased to express his regret that difficulties should have arisen of such a nature, at the close of a Government which appeared to have been conducted with such approval on the part of the community. But, on a careful review of the circumstances, His Grace was not satisfied that the Lieutenant Governor remaining at his post for a period, which might be indefinitely prolonged, would be advisable; and His Grace concludes as follows :—

“Under these circumstances, I leave it to yourself, with full confidence in your judgment, to take such steps in relation to the Executive Council and Assembly as you may think proper *before* leaving the Government.”

Ordered, That the said Address be engrossed.

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

On motion, the House was adjourned during pleasure, and put into a Committee on the further consideration of the Bill intituled “An Act to extend the Criminal Jurisdiction of the Police Court in the City of Charlottetown.”—After some time, the House was resumed, and *Mr. Forgan* reported that the Committee had gone through the Bill, and had agreed to the same.

Ordered, That the Report of the Committee be received.

The said Bill was read the third time.

Resolved, That the said Bill do pass.

Ordered, That a Message be sent down to the House of Assembly, acquainting them that this House hath passed the said Bill, as amended in Conference.

Mr. Swabey from the Committee appointed to wait upon His Excellency the the Lieutenant Governor with the Address, praying that His Excellency will be pleased to forward with the Address of the House of Assembly to Her Majesty,

certain Extracts from the Royal Gazette of the 30th May, 1854—reported the delivery thereof, and that His Excellency was pleased to say, he would forward the Address as requested.

The House having taken into consideration the incidental expenses of the present Session, allowed the same as follow, viz:—

The Reverend Louis Charles Jenkins, D.C.L., Chaplain to this House, for his services, - - - -	£22 4 0
Henry Palmer, Esquire, Gentleman Usher of the Black Rod, and Sergeant at Arms, 37 days, at 10s. per diem, - -	18 10 0
Account of the Clerk of the Council, for Stationery, and for Printing performed by order of the House, - - -	32 17 7
Patrick Furlong, Messenger, for his services, and including his account for sundry disbursements, - - -	36 6 1½
John Hobbs, Doorkeeper, for his services as such, 44 days at 7s. 6d. ½-	16 10 0
An Amount sufficient to pay Mr. John S. Bremner, for his services in Printing the Journal of the present Session, agreeably to his Contract—one-half to be paid at the end of the Session, and the Balance, on the Certificate of the Committee appointed to revise the Journal.	
Robert Blake Irving, Esquire, for his services as Reporter, the sum of Thirty Pounds—the same to be paid to him, when the Committee for revising the Journal shall have certified that he has furnished his full reports of the debates of this House, within two weeks from the end of the Session, -	£30 0 0

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

Resolved, That in consequence of the onerous and incompatible duties imposed upon the Clerk and Assistant Clerk of this House, by their holding respectively the Offices of Clerk of the Executive Council, and the Assistant Clerk thereof, the latter fulfilling also the duties of Road Correspondent, this House doth hereby require the Extra Clerk to attend to the printing and indexing of its Journal during the recess, so that the same may be published as speedily as practicable; and for compensation thereof to him for his duties during this present Session, and for such extra labour, there shall be paid to him the said Extra Clerk, John Ball, Esquire, the sum of One hundred Pounds—the sum of Fifty Pounds to be paid at the end of the present Session, and the Balance to be paid to him when he shall have received from the Committee appointed to revise the Journal, a Certifi-

cate of his having prepared said Index, and superintended the printing of said Journal to their satisfaction.

Resolved, That the sum of Seventy-five Pounds be paid to the Chief Clerk of this House, for superintending the preparing of the Index to the Journal, and for affording the Extra Clerk such instructions as he may require in attending to the printing thereof—the sum of Fifty Pounds to be paid to him at the end of the present Session, and the balance being Twenty-five pounds, when the Extra Clerk shall be entitled to receive the last instalment of the sum voted to him by the last preceding Resolution.

Resolved, That the sum of Twenty-five Pounds be paid to the Assistant Clerk of this House, for assisting the Chief Clerk in his various duties during the present Session.

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

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

An Act to enable Aliens to hold Real Estate.

An Act to continue the Act authorizing the appointment of Coal Meters, except in so far as relates to Charlottetown.

An Act to Incorporate the Trustees of the Baptist Church at Bedeque.

An Act to continue an Act regulating Seamen shipped on board of any Ship or Vessel belonging to Prince Edward Island, whilst within the precincts of the said Island.

An Act for regulating the size and quality of Fish Barrels and Tierces, and the weight of Fish made up therein, and for the appointment of Fish Inspectors; also to regulate the Inspection of Pickled Fish for sale within this Island, and to repeal a certain Act therein mentioned.

An Act to amend the Act to enable the Supreme Court of Judicature to give relief against adverse claims, and other persons having no interest in the subject of such claims.

An Act to Incorporate the Minister and Trustees of the Free Church Congregation at New London.

An Act to Incorporate the Minister and Trustees of the Free Church Congregation, Bedeque Road.

An Act to amend the Acts concerning the Property of the Methodist Church in Prince Edward Island.

An Act further to amend the Act Incorporating the Charlottetown Gas Light Company.

An Act to amend the Act for the Protection of the Herring and Alewives Fisheries in this Island.

An Act to extend the Criminal Jurisdiction of the Police Court in the City of Charlottetown.

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

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

An Act to continue an Act for the better prevention of Smuggling.

An Act to continue certain Acts therein mentioned.

An Act to amend the Act to consolidate and amend the Laws relating to Statute Labor, and the Expenditure of Public Moneys on the Highways.

An Act for appropriating certain Moneys therein mentioned for the service of the year of our Lord one thousand eight hundred and fifty-nine.

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

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

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

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

The completion of those measures which were necessary to the maintenance of the public interests, upon which you have been engaged, demands my best acknowledgments, and enables me to release you from further attendance.

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

I thank you, in Her Majesty's name, for the Supplies which you have granted for the Public Service.

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

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

I must not permit this last opportunity to pass without expressing to you the gratification which I shall ever experience in the recollection of the harmony which has subsisted

between the Executive and the other branches of the Legislature during the whole course of my Administration of this Government, to which the uninterrupted tranquillity of the Island during the same period, may, in a great measure, be reasonably attributed.

The performance of the important, and often, anxious duties attaching to my station, has been facilitated and alleviated by the confidence which you have ever so frankly reposed in the sincerity of my desire to promote the welfare of this community; and, notwithstanding the peculiar evils with which this Colony has had to contend, I have had the satisfaction of witnessing the triumph of its natural resources, in its steady, though limited, improvement.

In bidding you adieu, I fervently trust that the favor of Divine Providence, which has been so signally manifested towards this Island, may ever be continued to it, and conduct its Inhabitants to the condition of prosperity and improvement which is ever attainable by the united and harmonious cultivation of such capabilities as are possessed by Prince Edward Island—Farewell!

After which, the President of the Council said:

“Honorable Gentlemen of the Legislative Council, and

“Gentlemen of the House of Assembly;

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

CHARLES DESBRISAY,

Clerk of Legislative Council.

END OF THE FIFTH SESSION.

APPENDIX

TO

THE JOURNAL

OF

THE LEGISLATIVE COUNCIL

OF

PRINCE EDWARD ISLAND,

FOR THE SESSION

COMMENCING THE TWELFTH OF APRIL AND ENDING THE NINETEENTH MAY,

1859.



APPENDIX No. 1.

[See Page 23.]

(Copy.)

QUEBEC, September 9, 1858.

Sir;

I have the honor to transmit for your Excellency's information, the enclosed copy of a minute of the Executive Council of Canada, approved by myself, on the subject of a Federative Union of the British North American Provinces.

I have, &c.

His Excellency

(Signed)

EDMUND HEAD.

Sir D. Daly, &c. &c. &c.,

Prince Edward Island.

A true copy,

M. B. Daly, Private Secretary.

Copy of a Report of a Committee of the Executive Council, dated 4th September, 1858, approved by His Excellency the Governor General, in Council, on the 9th September 1858 :

"The Committee of Council are respectfully of opinion, that it is expedient to bring the Union of the British North American Colonies under the notice of Her Majesty's Government, with as little delay as possible, and to inform the Government of each such Colony, that the attention of Her Majesty has been called to the subject by your Excellency.

"That your Excellency should submit to the Right Honorable the Secretary of State for the Colonies, the propriety of authorizing a meeting of Delegates on behalf of each Colony, and of Upper and Lower Canada respectively, for the purpose of considering the subject of such Federative Union, and reporting on the principles on which the same could properly be based.

"That such Delegates should be appointed by the Executive Government of each Colony, and meet with as little delay as possible.

"That the report of such Delegates should be addressed to the Secretary of State for the Colonies, and that a copy of it, as soon as it is prepared, should be placed in the hands of the Governor and Lieutenant Governor of each Colony, in order that he may lay the same before the Provincial Parliament, with as little delay as possible.

"Certified.

(Signed)

R. T. PENNEFATHER,

A true copy,

Governor's Secretary."

M. B. Daly, Private Secretary.

(Copy.)

No. 10.

DOWNING STREET,

10th September, 1858.

Sir ;

On account of the great importance of the subject, I think it my duty to transmit to you herewith, a copy of the Speech delivered by the Governor of Canada on closing the late Session of the Provincial Parliament, together with an Extract of a Despatch which I have addressed to Sir E. Head, respecting that portion of the Speech which relates to the Federation of the North American Provinces.

I have, &c.

(Signed)

E. B. LYTTON.

Lieutenant Governor

Sir D. Daly, &c. &c. &c.

Prince Edward Island.

A true copy.

M. B. Daly, Private Secretary.

Extract of a Despatch from Sir E. B. Lytton, to Governor Sir E. Head, dated Downing Street, 10th September, 1858, No. 55.

“The question of the Federation of the Colonies is one in which Canada has no doubt a very deep interest, and in which any representations proceeding from the Legislature of that Province will be received with the greatest attention. But it is necessarily one of Imperial character, involving the future Government of the other North American Colonies, equally bound with Canada by the common tie which unites all the members of that Empire. It is, therefore, one which it properly belongs to the Executive authority of the Empire, and not that of any separate Province to initiate. I do not, however, question the importance of the reasons which led you to advert to it, and shall await the further development of the views of yourself and your advisers on the subject. I have communicated your Speech, and an Extract of this part of my Despatch to the Lieutenant Governors of the other North American Provinces.”

Extract of the Speech of The Right Honorable Sir Edmund W. Head, closing the Legislative Session of Canada, on the 16th August, 1858.

“I propose in the course of the recess to communicate with Her Majesty’s Government, and with the Governments of our sister Colonies, on another matter of very great importance. I am desirous of inviting them to discuss with us the principles on which a bond of a federal character uniting the Provinces of British North America may perhaps be hereafter practicable.”

Circular.

(Copy.)

No. 18.

DOWNING STREET,

SIR ;

26th November, 1858.

In my Circular Despatch, No. 10, of the 10th September, I transmitted to you a copy of the Speech delivered by the Governor General of Canada, on closing the last Session of the Provincial Parliament, together with the communication which I had addressed to him on that part of the Speech which related to the project of a Federal Union of the North American Provinces. I believe that you have since received from the Governor General, a minute of a Committee of his Executive Council, suggesting that Her Majesty's Government should authorize a Meeting of Delegates to be appointed by the respective Provincial Governments, to discuss the expediency and the conditions of the proposed measure. By the Federal Union, I understand to be meant an arrangement for establishing a common Legislation in the Provinces upon matters of common concern.

The proposal has received from Her Majesty's Government the careful consideration which its importance demands.

The question, however, is one which involves not merely the interests of the important Province of Canada and its relations towards the Empire, but also the position and welfare of the other North American Provinces. The Government of one of them has afforded some indication that it deems the question of a Legislative Union of some or all of the Colonies as equally deserving of consideration. With this exception, Her Majesty's Government have received no expression whatever of the sentiments which may be entertained by the Governments of the Lower Provinces. We think that we should be wanting in proper consideration for those Governments if we were to authorize, without any previous knowledge of their views, a meeting of Delegates from the Executive Council, and thus to commit them to a preliminary step towards the settlement of a momentous question, of which they have not yet signified their assent to the principle.

It has, therefore, been resolved, to address to you the present Despatch, (and a similar communication will be made to each of the other Provinces,) in order to place you and your Responsible Advisers in full possession of the actual state of the case.

I have, &c.

(Signed)

E. B. LYTTON.

Lieut. Governor Sir D. Daly, &c. &c. &c.

A true copy,

M. B. Daly, Private Secretary.

(Copy.)

GOVERNMENT HOUSE, TORONTO,

SIR ;

10th January, 1859.

I have the honor to enclose for Your Excellency's information, a copy of a Minute of my Executive Council, approved by myself (January 5, 1859), together with copies of the Secretary

of State's Despatch (No. 87, Nov. 26, 1858), and of the Letter addressed to him, which are mentioned therein (October 28, 1858).

I have, &c.

(Signed)

EDMUND HEAD.

His Excellency Sir D. Daly, &c. &c. &c.
Prince Edward Island.

A true copy,
M. B. Daly, Private Secretary.

Copy of a Report of a Committee of the Executive Council, dated 5th January, 1859, approved by His Excellency the Governor General, in Council, on the following day :

“The Committee have had under consideration a Despatch [No. 87], dated 26th November, 1858, from the Right Honorable the Secretary of State for the Colonies, intimating that the Imperial Government, before authorizing a Meeting the Delegates from the Executive Councils of the British North American Provinces on the subject of a Federal Union, as proposed in the Order in Council, communicated to the Colonial Secretary by your Excellency's Despatch [No. 118], of 9th September last, desire an expression of the sentiments which may be entertained by the Governments of the Lower Provinces on that important matter, in order not to commit them to a preliminary step towards the settlement of a question, of which they have not yet signified their assent to the principle.

“In order to place the Government of the Lower Provinces in possession of all the proceedings that have hitherto taken place in reference to the above mentioned subject, the Hon. the Attorney General (L. C.) recommends that a copy of the said Despatch, No. 87, as well as of the letter addressed by the Delegates from Canada to the Right Honorable the Colonial Secretary, while in England, be communicated to the Governor and Lieutenant Governor of each of such Provinces, with a view to invite such action in the matter as may be deemed expedient.

“The Committee advise that the suggestion of the Honorable Attorney General be approved and acted on.

“Certified.

(Signed)

W. H. LEE, C. E. C.”

A true copy,

M. B. Daly, Private Secretary.

(Copy.)

DOWNING STREET,

26th November, 1858.

Sir ;

I have on a former occasion acknowledged your Despatch, No. 118, of the 9th September, accompanied by a minute of a Committee of the Executive Council of Canada, proposing that Her Majesty's Government should authorize a Meeting of Delegates, to discuss the expediency and the

conditions of a Federal Union of the British North American Provinces. By this name I understand to be meant, an arrangement for establishing a Common Legislation in the Provinces, upon matters of common concern. I have since received a letter on the same question, dated the 25th of October, from those members of your Executive Council, who have recently visited England; and I have to inform you that the proposal has received from Her Majesty's Government the careful consideration which its importance demands.

The question, however, is one which involves not merely the interests of the important Province of Canada, and its relations towards the Empire, but also the position and welfare of the other North American Provinces. The Government of one of them has afforded some indication that it deems the question of a Legislative Union of some or all of the Colonies, as equally deserving of consideration. With this exception, Her Majesty's Government have received no expression whatever of the sentiments which may be entertained by the Governments of the Lower Provinces. We think that we should be wanting in proper consideration for those Governments, if we were to authorize, without any previous knowledge of their views, a Meeting of Delegates, from the Executive Councils, and thus to commit them to a preliminary step towards the settlement of a momentous question of which they have not yet signified their assent to the principle.

A communication, in terms corresponding with the present Despatch, will be addressed to the Governors of the other Provinces, in order to place them, and their responsible advisers, in full possession of the actual state of the question.

I have, &c.

(Signed)

E. B. LYTTON.

The Right Honorable Sir E. Head,
Baronet, &c. &c. &c.

(Copy.)

LONDON, 23d October, 1858.

Sir;

We have the honor to submit for the consideration of Her Majesty's Government, that the Governor General of Canada, acting under the advice of his responsible advisers, has been pleased to recommend that the subject of a Federal Union of the Provinces of British North America, should form the subject of discussion by delegates from each Province, to be appointed under the orders of Her Majesty's Government; and we have been instructed to urge the importance of this step as well upon grounds peculiar to Canada, as from considerations affecting the interests of the other Colonies and of the whole Empire.

It is our duty to state, that very grave difficulties now present themselves in conducting the Government of Canada, in such a manner as to show due regard to the wishes of its numerous population. The Union of Lower with Upper Canada was based upon perfect equality, being preserved between these Provinces, a condition the more necessary from the difference in their respective language, law and religion—and, although there is now a large English population in Lower Canada,

still these differences exist to an extent which prevents any perfect and complete assimilation of the views of the two sections.

At the time of the Union Act, Lower Canada possessed a much larger population than Upper Canada, but this produced no difficulty in the Government of the United Provinces under that Act. Since that period, however, the progress of population has been more rapid in the western section, and claims are now made on the behalf of its inhabitants for giving them representations in the Legislature in proportion to their numbers, which claims involving, it is believed, a most serious interference with the principle upon which the union was based, have been and are strenuously resisted by Lower Canada. The result is shewn by an agitation fraught with great danger to the peaceful and harmonious working of our constitutional system, and consequently detrimental to the progress of the Province.

The necessity of providing a remedy for a state of things that is yearly becoming worse, and of allaying feelings that are being daily aggravated by the contention of political parties, has impressed the advisers of Her Majesty's representative in Canada, with the importance of seeking for such a mode of dealing with these difficulties as may forever remove them. In this view it has appeared to them advisable to consider how far the union of Lower with Upper Canada could be rendered essentially federative in combination with the Provinces of New Brunswick, Nova Scotia, Newfoundland, Prince Edward Island, together with other territories, as it may be hereafter desirable to incorporate with such confederations, from the possessions of the Crown in British North America.

The undersigned are convinced that Her Majesty's Government will be fully alive to the grave nature of the circumstances referred to, which are stated by them, under the fully responsibility of their position as advisers of the Crown in Canada. They are satisfied that the time has arrived for a constitutional discussion of all means, whereby the evils of internal dissension may be avoided for such an important dependency of the Empire as Canada. But independent of reasons affecting Canada alone, it is respectfully represented that the interests of the several Colonies and of the Empire, will be greatly promoted by a more intimate and united Government of the entire British North American possessions. The population, trade and resources of all these Colonies have so rapidly increased of late years, and the removal of trade restrictions has made them, in so great a degree, self-sustaining, that it appears to the Government of Canada exceedingly important to bind still more closely the ties of their common allegiance to the British Crown, and to obtain for general purposes such an indentity in legislation as may serve to consolidate their growing power, thus raising under the protection of the Empire, an important confederation on the North American Continent.

At present, each Colony is totally distinct in its Government, in its customs and trades, and in its general legislation. To each other, no greater facilities are extended than to any Foreign State, and the only common tie is that which binds all to the British Crown. This state of things is considered to be neither promotive of the physical prosperity of all, nor of that moral union which ought to be preserved in the presence of the powerful confederation in the United States.

With a population of three and a half millions, with a foreign commerce exceeding twenty mil-

lions sterling, and a commercial marine inferior in extent only to those of Great Britain and the United States, it is in the power of the Imperial Government by sanctioning a confederation of these Provinces, to constitute a dependency of the Empire, valuable in time of peace, and powerful in the event of war, for ever removing the fear that these Colonies may ultimately serve to swell the power of another nation.

In the case of the Australian Colonies, the Imperial Government have consented to their discussion of the question of confederation, although the reasons for it, as relates to the Empire, can scarcely be either so urgent or so important as those which affect British North America.

The Government of Canada do not desire to represent the feeling of the other Provinces; their application is confined to the request that the Imperial Government will be pleased to authorize a meeting of delegates on behalf of each Colony, and of Upper and Lower Canada respectively, for the purpose of considering the subject of a Federative Union, and reporting on the principles on which the same could properly be based.

That such delegates should be appointed by the Executive Government of each Colony, and meet with as little delay as possible.

That the report of such delegates should be addressed to the Secretary of State for the Colonies, and that a copy of it, as soon as it is prepared, should be placed in the hands of the Governor and Lieutenant Governor of each Colony, in order that he may lay the same before the Provincial Parliament with as little delay as possible.

Upon the report of such delegates it will be for Her Majesty's Government to decide whether the interests of the Empire will be promoted by confederation, and to direct the action of the Imperial Parliament thereon, with the concurrence of the Legislatures of the respective Colonies.

We have the honor to be, Sir,

Your most obedient and humble servants,

G. E. CARTIER,
JNO. ROSS,
A. T. GALT.

The Right Honorable Sir Edward E. B. Lytton,
Secretary of State for the Colonies.

A true copy,

M. B. Daly, Private Secretary.

APPENDIX No. 2.

[See Page 24.]

No. 12.

(Copy.)

DOWNING STREET,

24th September, 1858.

Sir ;

I received your Despatch relating to the loan of One hundred thousand Pounds, which had been contemplated for Prince Edward Island, within a few days of the closing of the Session of Parliament, and at a moment manifestly too late for enabling Her Majesty's Government to recommend, if such had been their decision, that measure to the consideration of the Legislature. Since that time affairs of such pressing importance have forced themselves on my attention, that I have been prevented informing you of the course which I have thought proper to pursue with the report of your Council, and the explanatory statements with which it is accompanied. I have now to apprise you, that I have referred your Despatch, together with these explanations, to the Lords Commissioners of the Treasury, and that I have requested their Lordships' investigation and report on the financial condition of the Island as therein disclosed. I shall have the honor to communicate again with you when I am in possession of their Lordships' opinion on this subject.

I have, &c.

(Signed)

E. B. LYTTON.

Lieut. Governor Sir D. Daly, &c. &c. &c.

A true copy,

M. B. Daly, Private Secretary.

No. 20.

(Copy.)

DOWNING STREET,

3d December, 1858.

Sir ;

With reference to my Despatch of September last, acquainting you that I had communicated the correspondence, respecting the proposed Loan of £100,000, to the Lords Commissioners of the Treasury, I have now to acquaint you, that in the present state of the finances of the Colony, Her Majesty's Government are of opinion, that it would be hopeless to attempt to obtain a guarantee from the House of Commons.

The whole question, however, of the Land tenures, together with that of the Fishery Reserves, is engaging my most anxious attention ; and it would give me unfeigned pleasure to receive such

APPENDIX No. 2.

suggestions for the amicable settlement of these differences as could be accepted by the Imperial Government.

It has occurred to me that if within the Island an impartial Committee could be formed, composed of members fairly representing the interests of Landlord and Tenant, they might devise modes of settlement consistent with what in this Country are considered the legitimate rights of property, and which would obtain the concurrence of both parties.

I have, &c.

(Signed)

E. B. LYTTON.

Lieutenant Governor

Sir D. Daly, &c. &c. &c.

A true copy.

M. B. Daly, Private Secretary.

No. 15.

(Copy.)

DOWNING STREET, 20th October, 1858.

Sir ;

I have received your Despatch, enclosing authenticated Copies of an Act passed by the Legislature of Prince Edward Island, intituled "An Act relating to the Fishery Reserves in this Island."

After a careful consideration of the documents relating to that Act, including the remonstrances to which (as my predecessor would seem to have anticipated) it has given occasion, I find it wholly impossible to recommend that it should receive Her Majesty's sanction.

The facts of the case I understand to be the following :

By certain Orders in Council of 1764 and 1767, the Governor of Prince Edward Island was directed to grant the lands in that Colony to various persons subject to a reservation of "liberty to all His Majesty's subjects in general, of carrying on a free fishery on the coasts, and of erecting stages and other necessary buildings within the distance of 500 feet from high water mark."

In parts of the Island the land was actually granted on these terms, but in other parts, the grants, instead of reserving a right of entry for certain purposes to His Majesty's subjects, reserved the land itself (500 feet from high water mark), "for the disposal of His Majesty," "to erect stages and other buildings for carrying on the fisheries." I understand, however, that for a long series of years—I may almost say for generations—no distinction was in fact made between these two classes of grants, the strip of 500 feet being in all cases alike treated as belonging to the grantee of the adjoining land, that the owners have leased it, improved it, incorporated it into farms—built upon it, and above all, that they have paid taxes on it as on their own property, which taxes the Government have received.

Under these circumstances, it appears to have been the opinion of the Law Officers of the Crown in England, and of the Supreme Court in Prince Edward Island, that when the "disposal" of the Fishery Reserves was secured to Her Majesty by the deed of grant, the actual property of the land remained—and notwithstanding the long adverse occupancy, still remains vested in the Crown.

APPENDIX No. 2.

The Act now forwarded is passed in reliance upon these opinions, and, while saving the existing rights of the Crown, provides that wherever such reserves have been leased by the reputed owner to any tenant, the tenant shall be relieved from the liability to pay rent for them.

Now, in the first place, the revival of an obsolete claim of this kind, however tenable in strict law, is open to objections of great force. The old maxim, that "time does not run against the Crown," has been found in England so invidious in its application, so unjust in its consequences, so prejudicial to the free use of property, and the consequent development of wealth and industry, that it has been long since legally annulled in the Mother Country, and for the most part practically abandoned in her Dependencies; any right, therefore, which requires the support of that maxim, should be exercised with great consideration for persons who for long periods have been allowed, perhaps even encouraged, by the lashes of the Government to consider themselves the owners of property; and this applies with peculiar force where, as in the present case, the Government has actually enforced against those persons the liabilities of landowners, and where there appears some reason to doubt whether the rights which it is now proposed to enforce were not unintentionally reserved to the Crown. I do not say what terms could be equitably offered in this or in any other case to reputed owners—as these terms must vary indefinitely with circumstances; but as a general rule, they should certainly include, in respect of land not required for any public purpose, a right of pre-emption on reasonable terms, and, if so required, compensation for any improvements effected on the property.

Subject to qualifications of this kind, the assertion for the benefit of the public of the Crown's title to those lands might, under certain circumstances, be defensible or even necessary; not so the Act forwarded, which does not resume the land for the Queen, who is their owner; but by the abolition of rent, practically transfers them to the tenants, who have no right whatever to them, except that which they derive from their landlords. It is with deep regret that I regard in this Act a symptom of the same contest between classes which has led to former Acts on the part of the Legislature of Prince Edward Island, which one of my predecessors so emphatically disapproved. And I could earnestly wish that instead of propounding measures which I am convinced that no English Minister can sanction, the Legislature would devote its attention to some feasible scheme for settling those local questions which have caused so much disquietude in the Island—to the expediency of such a settlement I am fully alive. Most gladly would I co-operate in measures by which it may be practically obtained in a spirit of conciliation and fairness to all parties, and the subject is engaging my anxious deliberation. But, meantime, I cannot advise that Her Majesty's consent should be given to a Law which enforces for the benefit of private individuals, rights of the Crown, which could not properly be enforced with so much rigor even in the interest of the public. In the absence of such consent, the Act will of course remain inoperative.

I have, &c.

(Signed)

E. B. LYTTON,

Lieutenant Governor Sir D. Daly, &c. &c. &c.
Prince Edward Island.

A true copy,

M. B. Daly, Private Secretary.

APPENDIX No. 2.

(Copy.)

CHARLOTTETOWN, P. E. ISLAND,

14th April, 1858.

My Lord ;

We, the undersigned, Proprietors of Land in this Island, respectfully beg leave to represent to Your Lordship, that, in the Session which has recently terminated, a Bill of a most prejudicial and unconstitutional character, seriously affecting the relative position of Landlord and Tenant, has been passed by the local Legislature, intituled "An Act relating to the Fishery Reserves in this Island."

It appears that a draft copy of this Bill, accompanied by the recommendation of the Lieutenant Governor, was transmitted by His Excellency to the Colonial Department, on the 2d February, 1857, the receipt whereof was acknowledged by the Right Honorable Mr. Labouchere, in a Despatch, dated the 27th March, of which the following is an extract :

"I have to inform you, that Her Majesty's Government have no objection to the introduction of the measure which they hope may prove a serviceable one, but they cannot pledge themselves to advise Her Majesty to sanction it until they have had an opportunity of considering any objections which parties interested in its provisions may have to make to it, which said parties will be able to do while it is passing through the Legislature."

It did not come to the knowledge of the parties whose interests would be affected by the Bill, that any correspondence had taken place with the Colonial Department until after its introduction into the House of Assembly, when a motion was made for its production, this motion was negatived by the supporters of the Government, as will be seen by reference to a copy of the Journal herewith transmitted [Journal House of Assembly, 1858, page 23, 26], and it was not until after the Bill had passed to a second reading that the correspondence in question was produced.

Convinced by past experience, that any attempt to oppose the passing of this or any other Bill, affecting the rights of property, in its progress through the Legislature, during the present administration of the Government, would have proved utterly futile and unavailing, and feeling ourselves, in common with other Proprietors and occupants of land, deeply aggrieved, and our interests materially prejudiced by the provisions of the Bill in question, we have determined to petition Her Majesty, to refuse Her sanction to it, and we are preparing a memorial to that effect, which, when completed shall be transmitted without any unnecessary delay.

We have therefore respectfully to request that Your Lordship will be pleased to refrain from presenting the Bill intituled "An Act relating to the Fishery Reserves in this Island," for Her Majesty's decision thereon, until an opportunity has been afforded us and other Proprietors of Land in this Island, of submitting for the consideration of Her Majesty's Government our objections to the final passing of the same, and the reasons upon which these objections are founded.

In the mean time we beg to submit for the information of Your Lordship, copy of the Protest of the Honorable Wm. Forgan, against the passing of the Bill in the Legislative Council, that gentleman being one of the two Members only, representing Township Property to any material extent in that Honorable body, the other Member the Honorable Edward Haythorne having been absent during the whole of the Session from indisposition.

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Mr. Forgan's Protest points out in the clearest manner the manifest injustice of the measure, as also the evils which will accrue to both Proprietors and Tenants, should the Bill in question be suffered to become the Law of the Island.

We have, &c.

- (Signed) T. H. HAVILAND, Proprietor of Lots 56 and part of Lots 8, 40 and 43.
CHARLES PALMER, Representing half Township No. 1.
SAMUEL CUNARD, Proprietor of Lots 2, 14, 21, 44, 63 and 64, part of
Lots or half Lots 20, 27, 32, 45, 46, 48, 49 and 65—By his Attorney,
G. W. Deblois.
ROBERT BRUCE STEWART, Proprietor of Lots 7, 10, 12, Lennox Island,
Lot 30, half Lot 47, and portions of Lots 46 and 27.
JOHN HODGES WINSLOE, Proprietor of Townships Nos. 24 and 33—
By his Attorney, H. J. CUNDALL.
H. H. STANFIELD, Proprietor of Lot 54—By his Attorney, G. W. DEBLOIS.
EARL OF SELKIRK, Proprietor of parts of Townships Nos. 53, 57, 58, 59,
60 and 62—By WILLIAM DOUSE, his Attorney.
WILLIAM DOUSE, Proprietor of Township 31.
LAURENCE SULIVAN, Proprietor of Townships Nos. 9 and 61—By
JAMES YEO, his Attorney (by John Ings).
JAMES YEO, Proprietor of Township No. 13, and part of 8 and 19—By
John Ings.
ROBERT MONTGOMERY, Proprietor of one-third of Township No. 59—
By his Attorney, T. HEATH HAVILAND.
WM. MONTGOMERY and GEORGE MONTGOMERY, Proprietors of
one-third part of Township 51—By their Attorney, T. HEATH HAVILAND.
EDWARD CUNARD, Proprietor of Lots 4, 5 and 6, and half of Lot 1—
By his Attorney, G. W. DEBLOIS.
Sir G. GRAHAM MONTGOMERY, Bart., Proprietor of one-third of
Townships Nos. 34, 51, and 59—By his Attorney, T. HEATH HAVILAND.
JAMES F. MONTGOMERY, Proprietor of one-third part of Township
No. 34—By his Attorney, T. HEATH HAVILAND.
THOMAS MURRAY CROOKE, Proprietor of part of Townships Nos. 46
and 48—By his Attorney, JAMES MOORE.
JAMES PEAKE, Proprietor of part of Township No. 52—By his Attorney,
James Moore.
JAMES MONTGOMERY, Proprietor of Township 34, 51 and 59—By his
Attorney, WM. DOUSE.
WILLIAM BOWLEY, Proprietor of part of Township No. 40—By his
Attorney, WM. DOUSE.
MELVILLE, For Lands on Lots Nos. 29 and 53—By H. D. MORPETH, his
Attorney.

APPENDIX No. 2.

ROBERT GUN CUNNINGHAME, For part of Township No. 48—By
ROBERT STEWART, his Attorney.
F. H. BYRNE and A. M. BYRNE, For parts of Lot 48—By Robert
Stewart, their Attorney.
Same parties for part of Lot 46—By Robert Stewart, their Attorney.
Wm. FORGAN, Agent for The Right Honorable **LAURENCE SULIVAN**,
For Townships Nos. 16 and 22, in this Island.

The Right Honorable Lord Stanley, M. P.

(COPY)

CHARLOTTETOWN, P. E. ISLAND,
10th June, 1858.

My Lord;

Referring to our communication of the 14th day of April last, we have the honor herewith to transmit the accompanying Memorial to the Queen—praying, for the reasons therein stated, that Her Majesty will be graciously pleased to refuse Her assent to a Bill intituled “An Act relating to the Fishery Reserves in this Island,” passed by the Local Legislature on the first day of April last, and we respectfully request that Your Lordship will be pleased to submit the same for Her Majesty’s consideration.

We have, &c.

- (Signed) **T. H. HAVILAND**, Proprietor of Lot No. 56, and part of Lots Nos. 8, 40 and 43.
Wm. DOUSE, Agent for The Earl of Selkirk, James Montgomery, and William Bowley, Esquire.
Wm. DOUSE, Proprietor of Township No. 31—by James Douse, his Attorney.
Wm. FORGAN, Agent for the Right Honorable Laurence Sullivan, for Townships Nos. 36 and 22.
H. D. MORPETH, Agent for the Right Honorable Lord Viscount Melville, for Lands on Townships Nos. 29 and 53.
T. HEATH HAVILAND, Agent for Sir G. Graham Montgomery, Bart., M. P., James F. Montgomery, Robert Montgomery, George Montgomery and William Montgomery, Proprietors of Townships Nos. 34, 51 and 59.
G. W. DEBLOIS, Agent for Hatton Hamer Stanfield, Esq., Proprietor of Township No. 54.
JOHN H. WINSLOE, Proprietor of Townships Nos. 24 and 33—by his Attorney, H. J. Cundall.
G. W. DEBLOIS, Agent for Honorable Samuel Cunard, Proprietor of Townships Nos. 63, 64, 44, 21, 14 and 2, and half Townships Nos. 20, 45, 46, and parts of Lots 27, 32, 48, 49, 55 and 65.
G. W. DEBLOIS, Agent for Edward Cunard, Esquire, Proprietor of Townships Nos. 4, 5 and 6, and half of Township No. 1.
Wm. H. POPE, Agent for Col. and Mrs. Cumberland, Lady Wood, and Lady Cecilia Georgiana Fane.
JAMES C. POPE, Proprietor of half Township No. 27.
CHARLES WRIGHT, Owner of Land on Townships Nos. 65 and 50.

APPENDIX No. 2.

JAMES YEO, Proprietor of Township 13, and parts of 3, 7, 8, 19 and others—
by John Ings, his Attorney.

JAMES YEO, Agent for Laurence Sullivan, Esquire, Proprietor of Lots 9 and 61
—by John Ings, his Attorney.

HEIRS of the late DONALD M'DONALD, Proprietor of parts of Lots Nos. 35
and 36—by T. H. Haviland.

The Right Honorable Lord Stanley.

(Copy.)

TO THE QUEEN'S MOST EXCELLENT MAJESTY:

The Humble Petition and Memorial of the undersigned Proprietors of Land in Prince Edward
Island,

MOST RESPECTFULLY SHEWETH—

1.—That in the Reign of Your Majesty's Royal predecessor and grandfather King George the Third, (this Island then called the Island of Saint John) was divided into Sixty-seven Townships, of Twenty thousand acres each, agreeably to a plan thereof, approved of by His Majesty in Council, the 9th day of May, 1764, and that on the 26th day of August, 1767, His Majesty was pleased to approve and confirm the proceedings of the Lords Commissioners for Trade and Plantations with respect to the granting the said Townships; a copy of which proceedings was sent to the Governor or Commander-in-Chief of the Province of Nova Scotia, (of which Province this Island then formed a part), with directions to him to carry the several regulations therein contained into execution, and to pass grants of the respective Townships in the said Island to the several persons who were entitled thereto, "upon they, or their Agents, producing an order from His Majesty, in Council, for that purpose."

2.—That many of the persons named in such orders, in whose behalf grants were to be issued, were Officers in the Army and Navy, who had served in the preceding war, or persons who were otherwise deserving of his Majesty's favor.

3.—That one of the regulations of the Lords of Trade and Plantations is as follows:

"That in order to promote and encourage the Fishery, for which many parts of this Island are conveniently situated, there be a clause inserted in the grant of each Township that abuts upon the sea shore, containing a reservation of liberty to all His Majesty's subjects in general, of carrying on a free Fishery on the coasts of said Townships, and of erecting stages and other necessary buildings for the said Fishery, within the distance of five hundred feet from high water mark.

4.—That a copy of this regulation was furnished to the Lieutenant Governor of this Island in the year 1769 (when this Island was erected into a separate Government) and that this regulation has never been rescinded or altered.

5.—That in passing the Grants or Patents of the several Townships, this regulation respecting the Fishery has been in some instances strictly complied with, in some materially altered, and in others entirely disregarded.

APPENDIX No. 2.

6.—That on the First day of April, in this present year, a Bill intituled “An Act relating to the Fishery Reserves in this Island,” having passed the Local Legislature, was assented to in the name of Your Majesty by the Lieutenant Governor— subject, however, to a clause suspending its operation until Your Majesty’s pleasure shall be made known thereon.

7.—Your Memorialists, considering the said Bill, besides being partial and oppressive, to be uncalled for, and intended to subserve party purposes rather than to promote the true interests of Your Majesty’s subjects in this Island, most humbly submit that the said Bill ought not to receive the Royal assent, for the following, among many other, reasons :

8.—Because, although it is perfectly true, as recited in the preamble to the said Bill, that there is in some of the Grants or Patents of Townships in this Island, a clause reserving for the disposal of His Majesty, five hundred feet from highwater mark on the coasts of the tracts of land thereby granted, to erect stages and other necessary buildings for carrying on the Fisheries, yet such clause hath hitherto been held as not reserving the soil, but only an easement to the Crown to enter upon the said five hundred feet for the purpose of the Fisheries therein mentioned, and for no other purpose.

9.—That such was the understanding of the Government, as well as of the original grantees, is evident from the fact, that Quit Rents due to the Crown, have been demanded and received for the whole number of acres contained in each Township, including such reserves, and that to this day the proprietors, owners, and occupants pay and have paid annually into the public Treasury, for the last twenty-six years, under local statutes, an acreable land tax or assessment for the same.

10.—That so long ago as the year 1809, a similar land tax or assessment was laid upon all the Township lands in this Island, and rigidly enforced without excepting the five hundred feet from highwater mark, reserved for the purposes of the Fisheries.

11.—That in consequence of this well understood interpretation of the clause of reserve, acquiesced in by all parties from the date of passing the Grants or Patents, a period of nearly ninety years, the grantees, as well as their heirs or assigns, and those claiming under them, and those who have purchased under executions upon judgments at law, have sold and leased portions of these Township lands abutting on the sea, comprising so much of the said reservations as fronts the respective holdings of the purchasers or tenants, of which portions they have been in the quiet and undisturbed possession for a long series of years, and have voluntarily paid or been compelled to pay their proportion of the land tax or assessment for the same.

12.—That in almost every case, the original settler was compelled of necessity to commence his improvements from the water’s edge, the sea being for many years, for want of roads, the only means of communication with each other that the inhabitants were possessed of; and that, consequently, parts of these Fishery Reserves, as they are termed in the said Bill, have been from the first settlement of the Island inclosed and cultivated, and wharves, mills, stores and habitations have been erected thereon, and that these improvements have been made openly and continually, without any interruption from the Government until the year 1857.

APPENDIX No. 2.

13.—That in very many instances these improvements have been made upon lands totally unfit for erecting stages and other buildings for carrying on the Fisheries, and which lands, therefore, could never have been contemplated being used for those purposes.

14.—That the leasehold and freehold interests in these lands, so sold or leased, have been from time to time resold or otherwise disposed of, or have passed to the present occupants by inheritance or will, or by process of law, and that the buildings and improvements thereon, together with the circumstance of their adjoining the sea, have constituted the most material part of their value, and formed the principal inducement to purchasers when put up for sale.

15.—That if the Bill is suffered to become the law of the Island, it will be in the power of the local Government to dispossess all or any of the parties occupying parts of such reserves, or to compel them to become tenants at will of the Government for lands which they now hold either in freehold or by a tenure for 999 years.

16.—Your Memorialists have learned from copies of Despatches laid before the Assembly by the Lieutenant Governor during the Session in which the Bill in question was passed, that the local Government rely on the opinion of Sir Frederick Pollock and Sir William Follett, Your Majesty's Attorney and Solicitor General in the year 1843, as decisive of the right of the Crown to the fee simple of the land in question.

17.—Your Memorialists, however, beg leave to state that in the case submitted to these learned gentlemen, no notice was taken of the unauthorized departure by some of the Governors of Nova Scotia and of Prince Edward Island from the tenor of the instructions of 1767, but that on the contrary they were led to believe that the reservations relative to the Fisheries were made agreeably to these instructions, whereas such is not the fact; and this discrepancy, it is humbly submitted, should have formed part of the case, and the opinion of the Attorney and Solicitor General required as to what would be the legal effect of this departure from the terms of the respective orders of the King in Council, on the clause of reservation, upon which the Bill in question is founded.

18.—That as in the opinion of the above named gentlemen, “the words in the clause of reservation are sufficient to except the soil itself, but that these words may be controverted if there is an intention apparent from the whole of the deed that an easement only to enter for the purpose of the Fishery should be reserved to the Crown:” it is respectfully submitted that the Order of the King in Council under seal for granting the Townships, and the regulations therein referred to, constituting the foundation of the Grant or Patent, and being the authority for its passing the public seal of the Province or Island, may and ought to be resorted to, for the purpose of ascertaining what were the real intentions of the grantor in making such reservations.

19.—That the intention apparent from the Order in Council (a copy of one of which is hereto annexed, marked [A]), and the regulations of the Lords Commissioners for Trade and Plantations therein referred to, will effectually controvert the words in the Patent, and prove conclusively that it was not the intention of the grantor that the right to the soil should be reserved, and that, only an easement to enter upon the five hundred feet of the coast for the purpose of the Fishery, should be considered as being by the said clause reserved to the Crown.

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20.—That the attempt to pass a Bill of this description at this peculiar period, is most unfair and unjust, inasmuch as there is now an action pending in Your Majesty's Supreme Court of Judicature in this Island, respecting the right now claimed by the Crown to the fee simple of such reserves, and that such action is still undetermined, as appears by the decision of the said Court on a motion for a new trial hereunto annexed, marked [B.]

21.—That the interfering by legislative enactment between landlord and tenant, for the purpose of releasing the latter from his obligation to pay rent for land, of which he is still in possession under his lease, while the landlord's title to the land has not been invalidated by a legal decision, is unconstitutional, contrary to the practice of Parliament, and repugnant to every principle of law, justice, and equity, and, if allowed, would form a dangerous precedent in future legislation.

22.—That if the Bill pass into a law, it will vest in the local Government an unlimited control over these reserves, and thereby place in the hands of the administrators of such Government an irresponsible power, capable of being used for the most unconstitutional purposes.

23.—That it is well known, that your Memorialists labor under the disadvantage of being virtually unrepresented in the Legislature of this Island, a large majority in the House of Assembly being composed of persons having little real estate, and for a number of years past openly endeavouring to injure the proprietary interests, and to harass the owners of Township lands by passing Bills of the like unconstitutional nature with the present, for the avowed purpose of compelling them to dispose of their lands to the local Government at prices far below their real value; while in the Legislative Council, as at present constituted, Township property is represented by only two of its members, the Hon. E. Haythorne and the Hon. W. Forgan. To the annexed protest of the latter against the passing of the Bill, marked [C], pointing out some of the peculiar evils which will be the certain result if it is suffered to go into operation, your Memorialists crave leave to refer.

Your Memorialists, therefore, with the fullest confidence in the justice of Your Majesty, and persuaded that Your Majesty will refuse your sanction to a measure which, while it will inevitably tend to injure or oppress individuals, is, at the same time, uncalled for, unjust and unconstitutional, most humbly pray that your Majesty will be pleased to signify Your Majesty's disallowance of the said Bill of the Legislature of Prince Edward Island, intitled "An Act relating to the Fishery Reserves in this Island."

(Signed)

ROBERT BRUCE STEWART, Proprietor of Lots 7, 10, 12, Lennox Island,
Lot 30, half Lot 47, and parts of Lots 46 and 27.

Wm. FORGAN, Agent for the Right Honorable Laurence Sullivan, for Townships
Nos. 16 and 22.

H. D. MORPETH, Agent for the Right Honorable Lord Viscount Melville, for
Lands on Townships Nos. 29 and 53.

JAMES C. POPE, Proprietor of half Township No. 27.

CHARLES WRIGHT, Owner of Land on Townships Nos. 65 and 50.

APPENDIX No. 2.

- ELLEN STEWART, for half of Lot 18.
- CHARLES PALMER, part Proprietor and Agent for others, Proprietors of half Lot or Township No. 1.
- JAMES YEO, Proprietor of Township 13, and parts of 3, 7, 8, 19 and others—by John Ings, his Attorney.
- JAMES YEO, Agent for Laurence Sullivan, Esquire, Proprietor of Lots 9 and 61—by John Ings, his Attorney.
- WM. DOUSE, Agent for The Earl of Selkirk, Proprietor of Townships Nos. 57, 58, 60, 62, and half of 53 and 59.
- WILLIAM DOUSE, Agent for William Bowley, Esquire, Proprietor of part of Lot No. 40.
- WILLIAM DOUSE, Agent for James Montgomery, Proprietor of part of Townships Nos. 34, 51 and 59.
- WM. DOUSE, Proprietor of Township No. 31—by James Douse, his Attorney.
- T. H. HAVILAND, Proprietor of Lot No. 56, and parts of Lots Nos. 8, 40 and 43.
- HEIRS of the late DONALD M'DONALD, Proprietor of parts of Lots Nos. 35 and 36—by T. H. Haviland.
- SAMUEL NELSON, Agent for Lady Wood and Miss Fanning.
- FLORA A. M. M'DONELL, Proprietor of part of Lot No. 35.
- T. HEATH HAVILAND, Agent for Sir G. Graham Montgomery, Bart., M. P., James F. Montgomery, Robert Montgomery, George Montgomery and William Montgomery, Proprietors of parts of Townships Nos. 34, 51 and 59.
- G. W. DEBLOIS, Agent for Honorable Samuel Cunard, Proprietor of Townships Nos. 63, 64, 44, 21, 14 and 2, and half Townships Nos. 20, 45, 46, and parts of Lots 27, 32, 48, 49, 55 and 65.
- G. W. DEBLOIS, Agent for Edward Cunard, Esquire, Proprietor of Townships Nos. 45 and 6, and half of Township No. 1.
- G. W. DEBLOIS, Agent for Hatton Hamer Stanfield, Proprietor of Township No. 54.
- JOHN H. WINSLOE, Proprietor of Townships Nos. 24 and 33—By his Attorney, H. J. Cundall.
- WM. H. POPE, Agent for Colonel and Mrs. Cumberland, Proprietors of half Townships 65, and of property in Charlottetown and Royalty.
- WM. H. POPE, Agent for Lady Wood, Proprietor of Township No 67.
- WM. H. POPE, Agent for Lady Cecilia Georgiana Fane, Proprietor of half of Township No. 29 and portion of Lot 53.

APPENDIX No. 2.

(A.)

(COPY.)

At the Court of St. James's, the 26th day of August, 1767.

(L. S.)

PRESENT:

The King's Most Excellent Majesty,

Archbishop of Canterbury,

Viscount Falmouth,

Lord President,

Viscount Barrington,

Duke of Grafton,

Lord Le DeSpencer,

Earl of Shelburne,

Mr. Secretary Conway.

Viscount Townshend,

WHEREAS His Majesty was this day pleased by his order in Council to approve and confirm the proceedings of the Lords Commissioners for Trade and Plantations upon a plan which had been approved of by His Majesty in Council, on the 9th of May, 1764, for the settlement of the Island of Saint John, in the Gulf of Saint Lawrence, in North America, and to order that a copy of the said proceedings should be transmitted to the Governor or Commander-in-Chief of the Province of Nova Scotia, with directions to him to carry the several regulations therein contained into execution, and to pass grants of the respective Townships in the said Island to the several persons who are entitled thereto, upon they or their Agents producing an order from His Majesty in Council for that purpose. His Majesty doth hereby order, with the advice of His Privy Council, that the Governor or Commander-in-chief of the Province of Nova Scotia for the time being, do forthwith, upon this order being produced to him, pass a grant, under the seal of the said Province, of the Township marked No. 20 in the survey of the said Island, to Theodore Holtain and Thomas Basset, Esquire, Captain, under the conditions and regulations contained in the afore-mentioned proceedings of the Lords Commissioners for Trade and Plantations, approved of this day by his Majesty in Council.

(Signed)

W. BLAIR,

(B.)

DECISION OF SUPREME COURT,
RESPECTING FISHERY RESERVES.

March Term, King's County, Tuesday, March 9th, 1858.

The *Queen vs. Cox*.—This was an information filed by the Attorney General, for intrusion on land called the Fishery Reserves. The *locus in quo* is situated partly on the shore of St. Peter's Bay, and partly on the Morell River, and forms part of Townships Nos. 39 and 40. In 1769, these Townships were granted to Spence and others, and Fraser, and in each of these Grants is contained the following clause of reservation: "And further saving and reserving for the disposal of His Majesty, his heirs and successors, 500 feet from high water mark, on the coast of the tract of land hereby granted, to erect stages and other necessary buildings to carry on the Fishery." Under this clause the Crown claims 69 acres fronting on the Bay, and 69 Acres on the Morell River, in which the tide ebbs and flows.

On the trial, the Jury were directed that under this reservation the land fronting on the Bay was excepted, and belonged to the Crown, but that fronting on the River was not excepted, and passed to the grantee. The Jury, notwithstanding, found for the Crown for the whole.

The point now to be decided is, whether the 69 acres fronting on the Morell River is embraced within the reserve, as many of the Grants of Township lands in the Island contain a similar reservation. The decision of the question thus raised is one of considerable importance.

In legal construction, the term "sea-shore" applies to all land over which the ordinary tides flow and reflow; and as, under that definition, wherever a high-water mark exists, the "sea-shore" in contemplation of law extends, if the words "high-water mark" in these Grants are construed as designating both the "sea-shore" *along which the reservations were to extend*, and also the *point on the shore* from which the 500 feet is to be measured, the land fronting on this tidal river would be clearly comprised within the reservation. But the construction of Grants, like other Instruments, depends on the intention of the grantor; and a knowledge of the nature or peculiarities of the subject-matter of the Grants is sometimes essential, in order to ascertain the sense and meaning in which particular words are intended to be used. The reservation, in the Grants in question, is expressed to be made for the purpose of enabling his Majesty to dispose of the lands reserved for a particular purpose, viz: to erect stages and other necessary buildings for carrying on the fisheries. The object, in making this reservation, evidently was to promote and encourage the development of a great source of national wealth, by affording facilities and conveniences to those who might embark in the fisheries. Along the coasts on the open sea, and also in the Bays of this Island, very valuable cod and other Fisheries exist, in prosecuting which, stages, and other buildings covering a considerable extent of ground are necessary, and on those shores, therefore, such a reservation might prove a valuable privilege to fishermen. But the rivers, corresponding to the size of the Island, are on a dimin-

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utive scale, while, from the general flat formation of the country, the tides ebb and flow many miles up all the rivers, and almost to the sources of many others. We cannot be ignorant of what every one acquainted with the country knows, that no fisheries exist in those rivers of a description to require any such extensive reservations, to erect stages or other buildings for carrying them on. In fact, in such situations, the reservation for fishing purposes would be useless.

We must not assume the Crown to have been ignorant of the nature of the country it was granting away ; and it seems to us that, under such circumstances, the clause reserving a certain space from high-water mark on the *coast*, for the purpose of carrying on a fishery, must have been intended to apply only to those parts of the Townships popularly known as "*coast*," viz: the shore of the open sea and the bays and inlets of the sea, along which only any fisheries existed for which such reservations could be necessary; and that it could not have been meant to extend to rivers where a large extent of ground would then be appropriated to a purpose for which it would be of no practical use.

But it appears to us that, without drawing on our local knowledge of the country, the language of the reservation itself, when taken altogether, will not bear so extensive a construction as is contended for. The words of the reservation are, "five hundred feet from high-water mark on the *coast* of the tract hereby granted." Now if the reservation was intended to extend to all tidal rivers, or to every place where the tide ebbed and flowed, why was the word "*coast*" used, since the words "five hundred feet from high-water mark" would have extended to all places where a high-water mark could be found? If, therefore, the words "on the *coast*" were not intended to confine the description of the premises reserved within narrower limits than the words "high-water mark" would have done, they seem to us to have no meaning, or, at most, are mere surplusage ; but, in construing an Instrument, no words should be rejected if a sensible construction can be put upon them. The term "*coast*" in its popular sense, is, we believe, applied to land fronting on the open sea, or inlets of the sea or bays, but it is never applied to that fronting on rivers ; and taking the word in that sense, it appears to us evidently used to contradistinguish high-water mark on what is popularly called the *coast*, from high-water mark on the rivers, and to limit the reservation to the former, and prevent its extending to the latter. On these grounds, we think the land fronting on Morell River is not included in the reserve, but passed to the grantee.

Another ground on which a new trial is moved for is, that the verdict is contrary to the evidence, in finding for the whole five hundred feet, whereas a considerable portion of it was proved to have been washed away by encroachment of the sea. That the sea had encroached to a considerable extent was proved beyond all question ; but the evidence as to the extent of that encroachment was conflicting, some of the witnesses estimating it, on the average, at one foot, and others at four feet per annum. It was admitted by the Attorney General that whatever part of the five hundred feet had been so lost must be deducted; the Jury, however, found for the whole. On both these grounds, therefore, we think the Rule for a new trial must be absolute.

Several other points were raised ; but as they were disposed of during the argument, it is unnecessary to advert to them. Let the rule be made absolute.

(Signed)

R. HODGSON, Chief Justice.

I H PETERS, Assistant Judge

f

(C.)

DISSENTIENT from the passing of a Bill intituled "An Act relating to the Fishery Reserves in this Island."

First, Because the object and intention of the Crown in making the Reserves, as expressed in the Order of His late Majesty King George the Third, in Council, of the 26th day of August, 1767, was merely to secure a liberty to fishermen in such places as might, from time to time, be required, leaving the proprietors and occupiers of the land in the rear to enjoy the land over which the liberty was reserved, until it might be actually required by fishermen. The provisions of this Bill go to dispossess the proprietors of the rents and profits, and to enable the Government, at its will, to deprive the occupiers of the use of the land before it is required for that purpose, and the greater part of which never will or can be required. It is, in effect, a Bill to abrogate the original agreement and understanding between the Crown and Grantees, and which have been acted upon ever since the dates of the Grants, inasmuch as the proprietors have, on the faith of that agreement and understanding, dealt with the land contained in the Reserves, (subject to such liberty for Fisheries), as their own, and the Government of the Colony has acquiesced in such understanding and dealing, by exacting Quit Rents and Land Tax for them.

Secondly, Because, even supposing the Crown to have the right to take the land reserved before it is required for the purpose named, the provisions of the Bill are still most objectionable, inasmuch as the Leases contain a clause whereby the tenant agrees to take the land, subject to the exceptions and reservations contained in the original Grants. By the express contract, therefore, between the landlord and tenant, the latter agrees to pay for all the land leased, and to the risk of having his enjoyment of the (500) Five hundred feet in front of his farm interrupted by fishermen. Because, therefore, the Bill expressly abrogates and renders void this clause in the Leases, it is most dangerous in principle, and wholly unconstitutional; and, because rendering these clauses void, will prove very injurious to the lessors, and is highly unjust; and because, if Acts nullifying previous contracts were once permitted, confidence in all securities and contracts would be shaken.

Thirdly, Because, by thus nullifying a part of the contract between landlord and tenant, difficulties will be thrown in the way of the former in recovering rent for the residue of the land, inasmuch as the tenant, by keeping his stock, &c. on the reserve, may prevent its being distrained on, a distress, under the existing laws, being only permitted to be used on the land out of which the rent is payable; and because the Bill, while it abolishes the contracts between landlords and their tenants—which, in many cases, have been acted on for forty or fifty years—makes no sufficient provision to secure to the landlord his remedy, by distress, for the rent of the residue.

Fourthly, Because, a large part of the reserves having been in many places washed away by the action of the sea, almost every Lease to which the Reserve extends will be the subject of an Action at Law before the extent of the remainder can be ascertained. And because a verdict as to the extent of the Reserves in one Action would not be final and conclusive between the same parties, inasmuch

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as their precise boundaries might again be disputed, under the plea of Assessment, in an Action for subsequent rent; and because no provision being made for ascertaining and marking off the boundaries of the Reserves, different juries might and would differ as to the boundaries between them and the lands in the rear, and also in the precise points at the entrance of Rivers, Bays and Creeks to which they extend; and because an Act which will give rise to such an extraordinary number of Actions, without making any provision for the final adjustment of the disputes it causes, is most impolitic; and because the protecting clause in the Leases being abrogated by the *ex post facto* operations of this Bill, the Landlord would be unjustly exposed to most expensive and harassing litigation respecting the apportionment of the rent; and because the tenants having taken the land subject to the Reserve, and never having been or likely to be disturbed in their occupations, there exists no just pretence for absolving them from their obligation, or for any legislation on their behalf.

Fifthly, Because any legislation respecting the Fishery Reserves should be direct, and not, like the present Bill, to abrogate contracts between Landlord and Tenant; but to the ascertaining and defining the precise boundaries and limits of the Reserves, by which, disputes and litigation would be prevented, and a subject chiefly useful to political agitation finally set at rest.

Sixthly, Because if legislative interference could properly be interposed to effect an apportionment of the rent, contrary to the Agreement contained in the Leases, it would be most unreasonable to do more than to permit an apportionment where the Tenant had been actually evicted by a fisherman—and then only, for so much as had been taken for fishing purposes, and for so long only, as it was retained for those purposes; and because even that interference in the present instance would be impolitic, as the privileges and advantages of shore farms amply compensate the Tenants for any interruption they might be subjected to over the Fishery Reserves; and because, aware of their advantages, the tenants agreed to take them subject to the reservations. And because if the Landlords, before granting Leases, had supposed this important clause would be thus abrogated, they might have secured themselves by excepting the Reserves from the piece of land or quantity of acres demised, and reserving a higher rent for the residue of the land in the rear, an agreement to which every Tenant would no doubt have assented, as he would really enjoy the piece in front until it was wanted for fishing purposes, whether it was included in the boundaries of his lease or not, and it would therefore be immaterial to him whether he agreed to pay five pounds for eighty acres, excluding the Reserve, or five pounds for a hundred acres including the Reserve, with a clause that he took the hundred acres subject to the interruption of the Fishery Reservation.

Seventhly, because the operation of this Bill will make Freeholders and Leaseholders occupying the Reserves mere Tenants at will to the Government, for the time being, and thereby subject persons hostile to any existing Government to extraordinary exactions, and to grievous annoyance and oppression; and because the Freeholders and Leaseholders of farms to which the Reserves extend are now secured by their Deeds and Leases in their possession, subject to interruption for a purpose which they will never in many instances be required for; and because it is therefore most unjust to deprive them of that security, and to make them mere Tenants at will at the pleasure of any Government or other Authority whatever.

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Eighthly, Because, in the Fifth clause of the Bill, a right is assigned to the Government to use and lease the Reserves for other than fishing purposes; and because such assumed right is contrary to the said Order in Council, and to the reservation recited in the Preamble of the said Bill; and because the Crown has no right to lease the Reserves, or to use or authorize their being used for any purpose except the erection of stages and other necessary buildings for carrying on the Fisheries.

WILLIAM FORGAN.

(COPY.)

Charlottetown, P. E. Island,
18th May, 1858.

My Lord;

I respectfully beg leave to hand to your Lordship copies of two documents entrusted to me for that purpose; the originals, which I have shown to his Excellency the Lieutenant Governor, are scarcely in a fit state to be transmitted to Your Lordship, being soiled by passing through hard-working hands. I believe his Excellency will do me the justice to say that he is satisfied that these documents are genuine; several of the parties who have signed them are the most honest, industrious, and intelligent farmers with whom I have met during the twelve years that I have been the resident owner of about eighty thousand acres of land in this Colony, with the best opportunity to know and judge the character of individuals; they deeply feel the serious injury and injustice with which the occupants of shore farms, affected by the "Fishery Reserves Bill" are threatened, in being deprived of their right over the fronts of their farms, upon which their dwelling houses and barns are for the most part situated; they feel this threatened injustice the more because the greater portion of those fronts are totally ineligible for the purpose of Fisheries, and that, with rare exceptions, there is no bona fide demand for Fishing Stations, although wherever such demand has occurred, there neither has been, nor is likely to be, any difficulty in supplying it. I may observe that, not long since, while the citizens of the United States were debarred from fishing within three miles of our coast, the Legislature of this Island were very desirous that Her Majesty's Government should withdraw that prohibition, and this upon the alleged ground that the inhabitants of this Island could not be induced to neglect their farms, by going to fish in person for themselves. Having had the honor to join with other Proprietors in a Memorial and Petition against the "Fishery Reserves Bill", I shall now merely state the said Bill is most certainly a continuation of the "series of transactions" referred to by The Right Honorable H. Labouchere, late Secretary of State for the Colonies, in his Despatch to His Excellency the Lieutenant Governor Daly, dated Sept. 21st, 1855, on the reasons for refusing the Royal Assent to a Bill passed both branches of our Legislature, for taxing the rent rolls of all proprietors of more than 500 acres of land, irrespective of whether the rents were paid or not; and to another Bill similarly passed, intituled "An Act to secure compensation to Tenants", of which Sir George Grey, in his Despatch, dated November 17th, 1855, stated, that it was "one to which Her Majesty's Assent must be refused, because its plain and direct tendency is to transfer property in land from

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“the owner to the tenant.” The following is an extract from The Right Honourable H. Labouchere’s Despatch above referred to: “I have at the same time found it necessary to review the series of transactions extending over a long period of years, which are marked by the continued efforts of a large portion of the resident inhabitants of the Island, either to abolish altogether or materially to curtail, the rights of the owners of landed property.” Thus far Mr. Labouchere.

I believe this Colony is the solitary instance, in Her Majesty’s Dominions wherein the possession of landed property to such an extent as to give the possessor a great and vital interest in Land, operates as an insuperable bar and disqualification, preventing the owner of such property from occupying his proper and legitimate place in the Legislative Council, according to all English and constitutional ideas of representative Government: thus the Legislative Council of this Island has become the mere echo of the House of Assembly elected by universal suffrage, leaving to me and others aggrieved by the “Fishery Reserves Bill”, or by other enactments made in a similar spirit, no resource but an appeal to Her Majesty’s Home Government, to which we respectfully and confidently resort for justice and protection.

I have, &c.,

(Signed)

ROBERT BRUCE STEWART.

To The Right Hon. Lord Stanley.

(Copy.)

We, the undersigned Tenants, Freeholders, and actual Occupiers of Farms in Her Majesty’s Island Prince Edward, learn with deep dissatisfaction and dismay, that a certain Bill has passed the Legislature and Executive Government of this Island, the effect of which will be to deprive all persons who have shore farms of that right which, whether as Tenants or Freeholders, they justly possess, over the fronts of their several Farms. Said Bill, we believe, is to be called “The Fishery Reserves Bill”. We consider its tendency to be utterly detrimental and ruinous to all who hold shore farms, and also that it is utterly unjust in principle. We most earnestly pray that Her Majesty’s Home Government will be pleased to disallow and annul the same, and to prevent its passing into Law. We respectfully request that Robert Bruce Stewart, Esquire, will take the necessary measures for conveying this expression of our feelings on this subject through the medium of His Excellency the Lieutenant Governor to Her Majesty’s Home Government in England. Those of us who are Tenants have the fronts of our farms included in our Leases at the same rate per acre as the rest of our land namely, one shilling per acre. It would indeed be a most grievous injury to us to place the disposal of those fronts of our farms, and the rent to be fixed upon them at the will or pleasure of either the present or any other Government.

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(Signed)

Malcolm M'Phail,
Colin M'Phail,
William M'Donald,
John M'Phail,
Benjamin P———*
John Livingstone,
John White,
John White, jun.
Duncan M'Donald,
Neil M'Phail,
Angus M'Phail,
Neil M'Phail, jun.
Archibald Fargison,
Allan Fargison,

Allan M'Dougald,
John M'Dougall,
Samuel M'Dougald,
John M'Dougall,
Donald M'Lean,
Dougald Stewart,
Alexander M'Phail,
Murdoch Campbell,
Dougald M'Dougall,
John M'Dougall,
Archibald M'Dougall,
Malcolm M'Phail,
Duncan M'Phail.

**illegible.*

Additional Signatures appended to another Petition similar to the above.

(Signed)

Jeremiah Dalton,
Richard Lidstone,
James Lidstone,
William Dougert,
John Hopgood,
Edward Williams,
Thomas Costin,
John Rix,
Samuel Lidstone,
Francis Metherall,
James Kinley,
William Rix,
Thomas Rix,

Thomas Hopgood, jun.
John Sweet,
Thomas Hopgood,
William Rix, sen.
Paul Costain,
Richard Finley,
John Metherall,
Richard Costin,
John Warran,
Samuel Kinley,
Samuel Syms Lidstone,
Samuel Metherall.

(Copy.)

We, the undersigned Tenants, Freeholders, and actual Occupiers of Farms in Her Majesty's Island Prince Edward, learn with deep dissatisfaction and dismay that a certain Bill has passed the Legislature and Executive Government of this Island, the effect of which by depriving us of the right which we justly possess, whether as Tenants or Freeholders, over the fronts of our several farms, will be utterly detrimental and ruinous to all who have shore farms, as well as most unjust in principle. Said Bill, we understand, is called the "Fishery Reserves Bill"; we most earnestly pray that Her Ma-

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Her Majesty's Home Government will be pleased to disallow and annul the same, and to prevent its passing into Law; and we respectfully request that Robert Bruce Stewart, Esquire, of this Island, will take the necessary measures for the conveyance of this expression of our feelings on the subject through the medium of His Excellency the Lieutenant Governor.

(Signed)

John Lane,	Alexander M'Quarrie,
David Holm,	Ewen Currie,
John Currie,	Neil M'Nevin,
D. M'Nevin,	James Palmer;
Charles M'Kinnon,	William Marshall,
Archibald M'Dougall,	Neil Campbell,
Hector M'Nevin,	John M'Lean,
John M'Nevin,	Angus Campbell,
Colan M'Nevin,	Alexander Campbell,
Donald M'Kay,	John M'Kinnon,
Hector M'Kay,	Neil Stewart,
John M'Larrie,	Noah Whitby.

TO THE RIGHT HONORABLE LORD STANLEY,

Her Majesty's Principal Secretary of State for the Colonial Department, &c. &c. &c.

The Petition of Charles Wright, of Charlottetown, in Prince Edward Island,

HUMBLY SHEWETH—

That your Petitioner is seized in fee simple, by inheritance of one hundred and sixty-six acres of land, on Lot or Township No. Fifty, in the said Island.

That the said land is part of four hundred and twelve acres conveyed in 1783, subject to the conditions of the original Grant, by Walter Patterson, Esquire, Governor of the Island, to John Throckmorton, Esquire, an American Loyalist, who had served as Lieutenant in the King's Rangers during the war of independence; and who, on coming to this Island, received several allotments of Loyalist's land on the said Township, from the said Walter Patterson; which are described as having been given, partly "in consideration of the losses and services of the said John Throckmorton, and on account of "his loyalty and attachment to His present Majesty and His Government,"* &c. &c.

That the said John Throckmorton settled on the said land immediately on receiving a title to the same, and erected a dwelling house, mill, and other buildings thereon; and your Petitioner can shew

*Register Office of P. E. Island, Book 1st, folios 287 and 433.

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proof that the chief portion of the water frontage thereof, has been enclosed and cultivated under an undisturbed title, for upwards of seventy years.

That in 1807, the said John Throckmorton, for a valuable consideration, conveyed the fee simple of the said tract and premises to Thomas Wright and Charles Wright, Esquires, (the father and grandfather of your Petitioner, both deceased,) as Tenants in common, and the said Thomas Wright was, for several years previously, the lessee and occupant of the said premises, whereon he resided till his death, in 1812.

That Your Petitioner's father, the late Charles Wright, also resided on the said premises for several years, and at his decease in 1828, he demised his interest therein as a provision for his widow, with remainder in fee to Your Petitioner, and Your Petitioner accordingly became seized thereof on the decease of his mother, January 15, 1850.

That during the temporary absence of Your Petitioner from the said Island, his said mother had granted Leases of portions of the said premises, (in which Your Petitioner has since concurred,) and more especially of one tract of fifty acres, fronting on the shore of Pownal Bay, with the buildings thereon erected, she gave a Lease for a term of years, nine of which are yet unexpired.

That Your Petitioner views with apprehension the unusual tendency of a Bill lately passed by the Local Legislature, intituled "An Act relating to the Fishery Reserves in this Island," which goes to affect the rent reserved on his said farm, by entailing the Tenant to a deduction of such rent, in respect to a portion of the land leased, not exceeding "five hundred feet from high-water mark", which water frontage is esteemed the most valuable part of the said premises—and Your Petitioner humbly begs leave to submit, that the agitation of the Fishery Reserve question is impolitic, and the Act referred to, highly objectionable, for the following, among many other, reasons:

1.—Because it makes no distinction between Tenants, who have entered on wilderness lands, under leases for a long endurance, and such as have taken cultivated farms for a limited term of years; and are bound by special covenants to surrender quiet and peaceable possession, at the expiration of the term, of all and singular the premises demised, which may include valuable buildings and privileges, extending perhaps to the water's edge.

2.—Because at the determination of the Lease in such cases, the Landlord may find a difficulty in re-entering on that portion of the land for which a discharge for rent has been obtained under the Act; though the whole premises, previous to the demise, may have been enclosed and cultivated under the same title, for a long course of years, and the Tenant himself, during all the term, may have had undisturbed use of every acre thereof—and there seems nothing in the Act to hinder the Tenant, after the expiration of the Term, from still holding possession of the said Reserves, or any buildings thereon erected, to the prejudice of the lessor; as an Action of Ejectment might not well be sustained for land discharged from liability for rent, under the provisions of the Act.

3.—Because the certificate of a sworn Surveyor entitles the Tenant to claim a discharge for a portion of the rent reserved, the exact amount of which will, in all probability, be a fruitful source of litigation; as in most cases it may be difficult, if not impossible, to determine what quantity of the Fishery Reserve lands has been washed away by the sea, since the dates of the original Grants.—

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But that a certain portion of the coast annually disappears from various natural causes, was clearly proved in the case of *the Government versus Cox*, recently tried in King's County, but not yet brought to a successful issue by the Government; as among other difficult points to settle, the evidence varied considerably as to the quantity of land to be deducted for such causes; and the verdict of the Jury being contrary to evidence, an order has been granted for a new trial.

4.—Because ship-building to a considerable extent is carried on in the Island, and forms a profitable source of employment to a large class of colonists resident therein, and in many cases shipyards are unavoidably situated on Fishery Reserve lands; and it is neither desirable nor proper that Her Majesty's subjects, engaged in such pursuits, should be subject to costly and vexatious litigation on the part of the local authorities; as in the case now pending of Mr. J. B. Cox, whose valuable and extensive ship-building establishment is on part of the land for which an Information for intrusion was filed by the Attorney General, on the plea of its being Fishery Reserves, though not yet required for that purpose nor ever likely to be so, being situated on the borders of the Morell River, a narrow inland stream.

5.—The Order in Council referred to in the Mandamuses, by virtue of which the Grants were issued, is couched in the following words: "That in order to promote and encourage the Fishery, for which many parts of this Island are conveniently situated, there be a clause in the Grant of each Township that abuts upon the sea shore, containing a reservation of liberty to all his Majesty's subjects in general, of carrying on a free Fishery on the coasts of the said Township, and of erecting stages and other necessary buildings for carrying on the said Fishery, within the distance of five hundred feet from high-water mark."

This order was strictly followed in the original Grants of only eleven Townships, one of which has been revested in the Crown, and regranted in small parcels without any observance of the Order, and it has been urged with much plausibility, that the thirty-one Townships affected by the Bill, were granted with a reservation to the Crown, at the instance and solicitation of the Grantees themselves; whose lands, according to the terms of the Order, might be trespassed upon at pleasure by any person styling himself a fisherman.—And the Grantees therefore sought rather to rely on the protection of the Crown, to guard the privileges involved in the reservations from being abused to their prejudice; by placing the occupation of the said Reserves under such restrictions, as might carry out the true intent and meaning of the Order with justice to all parties. And a Licence from the Lieutenant Governor has heretofore been held requisite, to authorize the occupation of Reserve Lands, when required for carrying on a Fishery.

6.—Because by returns made to the Assembly, and published in the Legislative Journals for 1839—the accuracy of which may be relied on—there seems to have been but four such Licenses granted since the settlement of the Island, up to the end of the year 1832, and but two more to the 4th of July, 1837.—These latter were granted by Sir Charles Fitzroy, as appears by a Despatch (marked separate) to Lord Glenelg, dated the 8th of January, 1838, from which the following is an extract: "Since my arrival in the Colony, I have taken upon myself to grant Licenses of occupation

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“ of these Reserves in two cases, where the applicants were *Freeholders*, to the extent of the fronts
“ of their farms. I have also had numerous applications made to me very recently by *Tenants* for
“ similar Licenses; but conceiving that these Licenses were to be used with a view of defeating the
“ Landlord's claim for rent, and not for the *bone fide* purpose of carrying on a Fishery, I have
“ declined issuing any further Licenses, until I have received Your Lordship's instructions on the
“ subject”.*—It therefore appears that the long established principle, which induced Sir Charles
Fitzroy to decline complying with further applications for such Licenses, is not recognized under
the system of Legislation which has produced the present Bill; as the Attorney General's letter, dated
January, 1857, which was transmitted with the draft Bill, by the Lieutenant Governor, to the Colo-
nial Office, contains the following statement: “It is urged that a measure discharging Tenants from
“ payment of so much rent reserved by their Leases as rises and accrues in respect of Fishery Re-
“ serves land, is just and expedient.” The Bill therefore as framed, will accomplish this object, by
“discharging the Tenant from paying rent for such lands,” as explained by the Attorney General, but
not one of its enacting clauses “prohibits any person, unless by licence of the Government, from
“ taking possession of the Fishery Reserves.” The fourth section of the Bill, as published in the
Royal Gazette, simply provides that the Government shall not, by “this, or any other Act of the General
“ Assembly,” be divested of any existing right, heretofore exercised over these Reserves; and if the draft
submitted to the late Secretary of State contained a prohibitory clause of the nature implied, it cer-
tainly does not appear in the measure since passed by the Legislature.

7.—Because another statement in the Attorney General's said letter does not seem to be fully borne
out by facts; the words are as follow: “It appears to be unnecessary on the present occasion, to enter
“ into any lengthened statement respecting the Fishery Reserves of this Island, and the many disputes
“ and discussions of which they have been the subject, from the dates of the first grants of the Town-
“ ship lands in this Island, (A. D. 1769) down to the present time.” That this matter, among others,
has been frequently discussed by agitators, is freely admitted, but proof of the “many disputes” it has
given rise to, is not so easily discovered; for in cases where Licenses of occupation have been granted
by the Lieutenant Governor, for the time being, for the *bone fide* purpose of establishing a Fishery,
in terms expressed by the Grants, the right to do so has never been questioned, by any owner of Town-
ship lands, or agent in this colony. Two actions only have been brought in the Supreme Court respecting
such reserves, and these by the same Government whose Law Officer makes the assertion above
quoted; and on the 6th of April last, a party claiming a Fishery Reserve without shewing a licence,
was summarily convicted before two Magistrates of a trespass on lands, where it was adjudged the
Reserves do not extend, as being situated on the border of an inland lake or salt-water lagoon; and
these, it is believed, form the sum total of disputes arising out of this alleged grievance. Full returns
of the number of licences granted since 1839, are not readily attainable, as they were moved for to-
wards the close of last Session, and it was stated by a member of the Government that they could
not be furnished till the ensuing one. By the Census returns of 1854, it appears there were but thirtyse-
ven Fishing Establishments on the whole Island at that time, and it is not likely that all these were on

*Legislative Journals for 1839.

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Fishery Reserve lands, as private property frequently affords more eligible stations for that purpose.

8.—Because, while the Bill discharges the Tenant from liability for rent for which he has solemnly covenanted to pay, it makes no provision for the future management or better regulation of the Reserve lands; or the settlement of various points involved in the main question, as for instance, how far the Reserves shall extend; for in the opinion of Sir Frederick Pollock, given in reference to this question, “the word *coasts* has no clearly defined legal meaning;”* but all such points are left to be settled by future Action at Law, or otherwise as it may happen. And while the enacting clauses of the Bill are cautiously guarded against direct interference with any parties, save Landlord and Tenant, to the serious detriment of the former, the small Freeholder occupying his own land is neither likely to be injured nor protected by it; and these it is submitted, afford strong grounds for thinking that the measure is in fact a political manœuvre, brought forward with a view to the popularity of its supporters, at the forthcoming General Election; as it is an argument freely advanced, and pretty generally received, among a certain class in this Island, that whatsoever tends to injure the Landlord, must obviously benefit the Tenant. But the Bill, if allowed to become Law, may hereafter afford a pretext for some further measure, giving the Local Government undue influence over the occupants of Fishery Reserve lands, and the soil adjoining thereto.

9.—Because these lands have always hitherto been liable to assessment in common with other Township lands, under various Acts of the Assembly, for levying assessments on all lands in this Colony; and payment thereof has been rigorously enforced without any distinction as to Fishery Reserves by virtue of such Acts of the Assembly. And because the present Chief Justice of this Island, when Attorney General, submitted an opinion on the Fishery Reserves question to a committee of the Legislative Council, which opinion, with those of the Solicitor General, (now Judge Peters,) and the late Charles Binns, Esquire, a Barrister of long practice in this Colony, appear on the Journal of that body for 1839; and all seem in favour of protection to the Grantees. The Attorney General, in support of this opinion, quotes the following passage from a high legal authority: “The Rule that Grants shall be construed most favourably for the King, is subject to many limitations and exceptions. In the first place no strained or extravagant construction is to be made in favor of the King. If the intention be obvious, Royal Grants are to receive a fair and liberal construction.”† The Solicitor General says: “I am well aware of the great mischief this reserve will occasion, by subjecting the best cultivated parts of the most fertile farms to useless interruption, through pretended exercises of the right”—and he further adds—“the grantee might have an equity to prevent the Crown’s disposing of it in a way more injurious to him, than the purpose for which it was reserved.” What follows is from the opinion of Mr. Binns, in reference to the same subject—“The Grant serves the Quit Rent on the entire 20,000 acres, and I believe payment has always been exacted to that extent, and it is a maxim, that the King’s Grant shall be construed for his honor, and generally in favor of the Grantee.‡ Now it would not by any means accord with this maxim, to exact and receive Quit Rent and taxes for a large quantity of land, (and most valuable front lands too,) from a Grantee who, at the same time, is by some said to have no interest in it.”

*Journals of House of Assembly for 1844, Appendix C.

†Journals of Legislative Council for 1839, Appendix A.

‡Chitty on Prerogative, page 394, &c.

APPENDIX No. 2.

10.—Because the Act is inconsistent with the principle of English jurisprudence, and therefore ought not to pass into a Law, as former Acts of the Assembly have been refused the Royal sanction on such grounds—and in an opinion of the Crown Law Officers of England, transmitted by the Duke of Newcastle to Sir A. Bannerman, with Despatch No. 2 of 23th December, 1852, for His Excellency's guidance in reference to a measure involving a similar principle, the rule is thus laid down: "It is an established maxim of the laws of England, founded upon the plainest principles of justice and convenience, that no Tenant shall be permitted to question the title of the Landlord from whom he has taken the premises, when the Landlord sues for rent, or distrains; he makes a conclusive case by merely shewing that the Tenant took the premises from him; and his title cannot be enquired into.*

Signed { "W. Home,
"J. Campbell."

And your Petitioner humbly begs leave to observe, that the Glebe lands on all the Townships having been sold under an Act of the Assembly, an application was made to him respecting a piece of ground for a church for St. John's Parish; and the site previously selected for the building, was along-side the water, near a graveyard adjoining your Petitioner's said farm; and your Petitioner, in conjunction with his mother, accordingly executed a deed in 1848, conveying a piece of land in trust for the uses required; your Petitioner believing, as he does still, that he had a right of disposal over such land; and not by any means foreseeing the extent to which Legislative action against Township property would be carried on in this Colony—and the church was erected within the limits of the said Fishery Reservation, was duly consecrated to the worship of God, according to the rules of the Established Church of England, by the late Lord Bishop of Nova Scotia; and is the only Church of that denomination in St. John's Parish, comprising five Townships—your Lordship's Petitioner therefore humbly claims such protection in reference to the said transaction, as may be held consistent with the dignity of the Crown, and the interests of religion in this Colony.

That no part of your Petitioner's said Farm is ever likely to be needed for a Fishery; as it is situated at the head of Pownal Bay, which empties into a larger inlet or bay, called the Hillsborough, and the water off Pownal Bay is shoal to a great distance; and it will appear by a plan hereunto annexed, the whole front of the said farm does not exceed twenty acres, or thereabouts, allowing full "500 feet from high-water mark."

That permission to hold Fishery Reserves in perpetuity, to individuals owning farms in the rear thereof, is not unprecedented in this Colony, as may be inferred from Sir Charles Fitzroy's Despatch, and other documents before mentioned, and your Petitioner believes that further cases of a like nature will appear, when full returns on this subject are made known to the public.†

That your Petitioner's deceased father and grandfather were both servants of the Crown, and he may be allowed to observe, that his grandfather's interest in the said purchase, from the aforesaid John Throckmorton, was all the real property he died possessed of, after forty-eight years of his life

*Journals of House of Assembly for 1853, Appendix E.

†Grant from Lieutenant Governor Smith to Richard Rollings, in perpetuity, dated 22d July, 1820.—Journals of House of Assembly, for 1839, Appendix B—Ditto of Legislative Council, Appendix D.

APPENDIX No. 2.

spent in the public service, in various parts of the British North American Dominions.

That a suspending clause is added to the aforesaid Act, rendering Her Majesty's sanction requisite to give it the operation of Law; and should such Royal allowance not be withheld, your Petitioner humbly prays that, in consideration of the foregoing circumstances, your Lordship will be pleased to direct the Lieutenant Governor of the said Island, either to pass a Grant free from reservation, or a Lease in perpetuity at a nominal rent, to your Petitioner, of five hundred feet from high-water mark along the front of his said farm, or of as much thereof as may be liable to the operation of the said Act. And that otherwise your Lordship will be pleased to recognize your Petitioner's claim to a fair pecuniary compensation for whatever loss or injury he may sustain, by reason of a revival of any obsolete claims to the Fishery Reserves aforesaid, by the Government of this Island, in as far as they may affect his said farm.

And your Lordship's Petitioner will ever pray, &c. &c.

(Signed) CHARLES WRIGHT.

SUMMARY OF PUBLIC LANDS.

APPENDIX No. 3.

[See Page 46.]

LOT.	NO. OF ACRES.	AMOUNT SOLD FOR.	AMOUNT DEEDS.	AMOUNT PAID.	AMOUNT PAID ON DEEDS.	AMOUNT DUE ON PURCHASE.	DISCOUNT.	INTEREST ON BALANCES.
38	7160	3411 3 0	35 10 0	1272 4 4 $\frac{3}{4}$	20 10 0	2378 11 11	30 3 10	254 17 1 $\frac{3}{4}$
39	5973 $\frac{3}{4}$	3751 12 10	33 5 0	1309 1 5 $\frac{1}{4}$	23 5 0	2727 18 11 $\frac{1}{2}$	12 6 0	287 13 6 $\frac{1}{4}$
40	4382 $\frac{1}{2}$	2150 16 4	21 7 0	726 13 7 $\frac{3}{4}$	14 17 0	1600 3 9 $\frac{1}{2}$	10 15 0	180 6 1 $\frac{1}{4}$
41	8996	4949 4 0	29 10 0	1353 0 6	18 15 0	3355 12 7	27 5 8	375 19 9
42	5443 $\frac{1}{2}$	2661 16 6	8 5 0	890 3 9	7 17 6	1971 5 0	14 9 0	213 13 9
43	2003	1133 1 9	9 15 0	351 18 7 $\frac{1}{2}$	9 5 0	851 2 7	12 0 0	81 9 5 $\frac{1}{2}$
66	1121	447 8 6	3 10 0	230 19 3	3 10 0	241 4 8	5 0 0	29 15 5
11	6994 $\frac{1}{2}$	2978 18 5	15 5 0	1217 4 11	14 15 0	1855 15 10	47 19 6	141 11 10
	42074 $\frac{1}{2}$	£20,884 1 4	£156 7 0	£7,351 6 6	£112 14 6	£14,981 15 4	£159 19 0	1565 7 0

319 acres on Lot 66, promised to, but not attorned.

SYNOPSIS OF SUMMARY.

<p>Dr.</p> <p>To Amount Lands sold, £20,884 1 4</p> <p>" Amount Deeds sold, 156 7 0</p> <p>" Interest on Balances, 1,565 7 0</p> <hr/> <p>£22,605 15 4</p>	<p>Cr.</p> <p>By Amount paid on Lands, £7,351 6 6</p> <p>" Amount paid on Deeds, 112 14 6</p> <p>" Amount due on Lands, 14,981 15 4</p> <p>" Discount, 159 19 0</p> <hr/> <p>£22,605 15 4</p>
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ABSTRACT shewing the quantity of Land purchased, and the acreage unsold. The amount paid on purchase, and the amount due on Sales and Bonds.

<p>Dr.</p> <p>To paid on purchase of Lands, £20,550 0 0</p> <hr/> <p>£20,550 0 0</p> <p>To Balance, £4,758 16 3</p>	<p>Cr.</p> <p>By Amount due on Sales, £14,981 15 4</p> <p>" Amount due on Bonds, 809 8 5</p> <p>" Balance, 4,758 16 3</p> <hr/> <p>£20,550 0 0</p>
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<p>Dr.</p> <p>To quantity of Land purchased, as per Surveyor General's Report, 83,309</p> <hr/> <p>83,309</p> <p>To Balance unsold, 41,234$\frac{3}{4}$</p>	<p>Cr.</p> <p>By quantity of Land sold, 42,074$\frac{1}{2}$</p> <p>" Balance, 41,234$\frac{3}{4}$</p> <hr/> <p>83,309</p>
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SUMMARY OF CROWN LANDS.

<p>Dr.</p> <p>To amount received Georgetown and Royalty, this year's Sales, Folio 23. £213 13 2</p> <p>From previous Sales, " " 263 12 11</p> <p>From Princetown, " " 3 10 0</p> <p>Lot 15, this year's Sales, " " 19 4 0</p> <p>From previous Sales, " " 43 0 0</p> <p>Lot 55, from previous Sales, " " 24 5 6</p> <p>Summerside Water Lot, " " 7 15 0</p> <p>Fees, Grants, &c. " " 6 10 0</p> <hr/> <p>£581 10 7</p>	<p>Cr.</p> <p>By Cash deposit returned to Hypotele Arseneaux, for Plot 179, Lot 15, £6 5 0</p> <p>By Cash purchase returned to John F. Holland, for Lot 169, Georgetown Royalty, 8 7 0</p> <p>By Cash, 566 18 7</p> <p>" Treasurer's Receipts, - - - - -</p> <hr/> <p>£581 10 7</p>
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Dr. **The Commissioner of Public Lands,**
In account with the **Government of P. E. Island.** Cr.

To Amount received on account of Sales of Public Lands, -	£1,577 16 5	By Cash paid Treasurer, on Account of Sales of Public Lands, -	£1,662 18 9
On account of Bonds, -	58 14 4	On account of Sales of Crown Lands, -	566 18 7
Stampage, &c. -	26 18 0	Paid Hypotele Arseaux, deposit returned, -	6 5 0
On Account of Sales of Crown Lands, -	575 0 7	Paid John F. Holland, purchase returned, -	8 7 0
Fees, -	6 10 0	Paid C. Kilbride, 1 acre overcharged, 0	10 0
	<u>£2,244 19 4</u>		<u>£2,244 19 4</u>

RECEIPTS of Public Lands' Office, Expenditure and Liabilities, for the year ending 31st January, 1859.

Dr.		Cr.	
To amount of Total Receipts as per statement, (see above) -	£2,244 19 4	By Interest on purchase money, -	£1,027 10 0
		" Loss of Land Tax, -	189 0 0
		" Commissioner's Salary, -	300 0 0
		" Surveyor General's Salary, -	250 0 0
		" Woodrangers, -	16 13 4
		" Paid labour on Surveys -	73 1 0
		" Expenses and Journeys, -	23 0 6
		" Balance, -	365 14 6
	<u>£2,244 19 4</u>		<u>£2,244 19 4</u>
To Receipts plus Expenditure,	£365 14 6		

JOHN ALDOUS, Commissioner.

APPENDIX No. 4.

[See Page .]

SCHOOL VISITOR'S REPORT,

FOR THE YEAR 1858.

Letter from the Board of Education to the Hon. the House of Assembly, on the subject of School Attendance.

BOARD OF EDUCATION, P. E. Island, 2d May, 1859.

The Board of Education, in the exercise of the duty assigned it by the Act 15th Vict. cap. 15, transmit to the Legislature the following extracts of the Reports of the School Visitors up to the present date.

In revising the Report marked No. 2, the Board deems it its duty to submit the views which the experience, more especially of the past year, has led it to entertain on the very important subject of school attendance, as affecting alike the interests of the rising generation, the remuneration of Teachers, and the success and stability of the whole system of public instruction in the Free Schools of the Colony.

Although the average daily attendance required by the Act is sufficiently low, being only one-half the minimum number of pupils of school age necessary to form a District, and although the words of the Act are precise, yet that difficulties have arisen in its administration is shown by the number of petitions now before the Legislature arising out of questions concerning average, as well as from the following analysis derived from the experience of the past three years. The principles of interpretation and of administration, which guided the Board, are deduced from the "Minutes."

1.—In an agricultural country, and where, moreover, the climate is one of extremes, the weekly and monthly average attendance at school is necessarily very fluctuating. This in ordinary cases is sufficiently provided for by the Act, which rests the average attendance on that of the entire six months. But in the case of removal of the Teacher, from ill health or death, before the expiration of the yearly or half-yearly term, the average will be above or below the standard, according to the season of the year at which the interruption may occur. For, a school which during the autumn has an average of only fifteen, may, during the succeeding three months, so far compensate as to raise it to twenty-five; that is, five above the standard. Is the Teacher, in such a case, to be paid a proportion of his salary, or is he to go entirely unrewarded? This question the Board decided in the affirmative.

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2.—Besides the periodic fluctuation just referred to, the average is sometimes liable to fall below the standard from the prevalence of epidemic and contagious diseases, such as measles, small-pox, or scarlet fever. Suppose in such a case, as has more than once happened, the average falls to nineteen, or even eighteen, is the Board to consider its hands tied up, and the Teacher to go unremunerated? Without the concurrence of the Board he cannot abandon his post. For the Board to give its assent, would be to aggravate the sufferings of a district already sorely tried, to visit with unmerited punishment those whom the epidemic may have spared! To withhold its assent, on the other hand, would be to compel a public servant to remain at his post without being in a position to pay him.

3.—Suppose the inhabitants of any District act in strict conformity with the law in having the boundaries defined, selecting the site, &c., but a contumacious minority rise up in opposition, choose a site for themselves, and in utter disregard of the law, build a school-house in opposition to that regularly established—if, in such a case, the average of a District School should fall below the standard by a small fraction, is it to be excluded from all participation in the benefit of the Act? To do so, in the opinion of the Board, would be to treat alike those who disregard, and those who obey the laws—to perpetrate a feud in the District which would more than neutralize the good effects of the Free Education Act, and to hold up to other Districts an easy method whereby the people at large might be deprived of the blessings of Education, by the factious opposition of a few. To sustain the lovers of law and order during a temporary depression of the average, must have a contrary effect, and result in the final submission of the malcontents.

Wherever the deficiency was not owing to any of the causes just enumerated, the average required by the Act has been strictly insisted on, and is rigidly enforced as the imperfect means placed at the disposal of the Board by the Legislature would permit. No means have been left untried to secure a faithful record of the daily attendance. The Teacher is required by the regulations to notify the Board whenever the average of the preceding three months fall below that required by the Act. On the receipt of any such notice, the following circular was transmitted to the Teacher :

“ Education Office,

“ Sir ; -

“ I am directed by the Board to inform you, that unless your School keeps up the average required by the Act, you cannot obtain your salary for any time you may teach after the date of this communication. If, therefore, the people of that District are so little alive to their own interests as not to support the school as they ought, by sending the children regularly, you have no other alternative than to close the school, or look to the people themselves for your salary. Remember, also, that any attempt to falsify the Register for the purpose of increasing the average, may subject the Teacher not only to the loss of his salary but of his licence.

I have the honor to be, &c. &c.”

On such principles, had the Free Education Act been administered from its introduction to the 27th of January last. From the records of the Board we find that between the 26th of June, 1856, and the date of the monthly meeting in January, 1859, there had been altogether twenty-five cases

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relating to average, adjudicated on. Of these, five only were allowed; the others disallowed. On the day last named, however, there came before the Board eight Registers, with averages ranging only from 16½ to 19 51-61, on which it was ordered "That the Board cannot grant certificates for salary in any of the preceding cases under the express conditions of the 21st section of the Act 17th Vic. cap. 3, but that the Board will entertain petitions from the Teachers and School Trustees respectively, so far as to recommend their cases to the favorable consideration of the Lieutenant Governor in Council. * * * The Board will not in future interfere with the operation of the clause regarding the daily average attendance at Schools."

This reversal of its former practice was not acquiesced in by all the members, and on the grounds already stated. Petitions were in consequence, presented to the Executive Government, and the same rate of remuneration obtained as in the case of minor Districts. This decision having failed to meet what they deemed the justice of the case, the people have, as a last resource, applied to the Legislature for the balance of the £25. This affords a good opportunity of finally settling the matter. A simple Resolution will be sufficient to declare whether the principles which have hitherto guided the Board, are sound, or whether the recent decision of the majority of the members, as expressed in the above Resolution, meets the concurrence of the Legislature. In coming to a decision on this vexed question, it shall be borne in mind that the discretionary power in certain cases, hitherto exercised, as has been shown with such caution, is still believed by a minority of the members to be essential to the successful working of the Act, and that sufficient occasions will not be wanting to vindicate the supremacy of Parliament, without converting it into a Court of Appeal for settling matters of detail.

A tribunal which condescends not to make itself acquainted with the facts of the case, may impress with an idea of its power—it can seldom excite our admiration at the justice of its decisions.

All of which is respectfully submitted.

By order of the Board,

JOHN McNEILL, Secretary.

TO THE MEMBERS OF THE BOARD OF EDUCATION.

Gentlemen;

Upon the following remarks, prefatory to my Report in detail of my inspection of District Schools, made by me in the capacity of Acting Visitor of Schools between the 1st of October, 1858, and the 28th April, 1859, which I have now the honor to convey to you, I am anxious that you should bestow especial consideration, because I am convinced that the suggestions contained therein would, were effect given to them by the Legislature, prove highly beneficial to the interests of general Education in this Colony.

Hoping that you will deem it your duty to review them carefully, to the end that you may pass judgment upon them according to your estimation of their worth; and that, afterwards, accompanied

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by your own remarks thereon, they may, as the law directs, be laid before the Legislature for their consideration.

I have the honor to be, gentlemen,
your obedient servant,

R. B. IRVING,
Acting Visitor of Schools.

Charlottetown, April, 1859.

Remarks, prefatory to the Report in detail, of the Inspections of District Schools, made by R. B. Irving, Acting Visitor of Schools, from 1st October, 1858, to 28th April, 1859.

A wise State has no interest nearer the heart than the Education of its youth; and most justly does it regard the Common School as the only appropriate agent of modern and popular civilization—as the only means by which the real Education of the people can be effected. This proposition is one which is now received as an axiom in every country in which the efficacy of the Common School has been fairly tested.

Not long ago, however, many educated and leading men, even among those who are called “the higher classes,” in the British Empire, steadfastly held that to educate “the people” would be to introduce confusion and anarchy into the state, to the complete destruction of good order, of due subordination, of submission to the laws, and of respect for those invested with executive authority; and would in fact, by the diminution of its greatness, and by the annihilation of its industrial success and commercial prosperity, directly tend to nothing less than the rapid decline and ultimate ruin of the Empire.

Such men, such narrow-minded reasoners and blind deducers of consequences, in opposing and withstanding every scheme for national education, declared that the people were possessed of a vastly greater amount of knowledge than was good for them, and maintained that education served only to make them discontented with their callings and disrespectful to their superiors.

Happily now, however, in the Empire of Great Britain at least—with which alone, on this subject, we have at present any direct concern—few, very few men of rank, power, intellect, and education, are to be found blindly endeavouring to stay the march of universal progress. And even the few who may still retain the exclusive notions of the last century—the pride of birth, the honor attached to all ancient proprietors of land, the repugnance to “*new men*,” and the abject deference exacted of the poor, who were, and still are in some cases treated as an inferior order of men, born to administer to the luxuries of the few, and counted as having no interests of their own beyond what a miserable shift at existence was enough to satisfy—are now thoroughly convinced that, even although they might endeavour to impede the progress of popular education, their efforts to that end would be as futile as would be those of any human power to arrest the motion of our planet as it turns to meet the beams of day.

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British Statesmen and Senators are now most happily uninfluenced by the foolish and exclusive notions of the bygone age ; and instead of thinking or acting as if they thought that to educate " the people " would be to teach them " to pick and steal," to read bad books, and to become atheists and rebels, they who among them are the most distinguished for all the truly ennobling attributes of man, are they who most clearly perceive and distinctly acknowledge that, although when the clouds of ignorance are dispelled by the radiance of knowledge, the strength of the tyrant and the power of the oppressor will tremble, yet the authority of just and equal laws and of good government will remain immovable.

But public education, that is, the general education of the people, has not yet, in England, been provided for, to the general satisfaction, notwithstanding all that has been done by its truly enlightened and philanthropic advocates, both in and out of Parliament, for its diffusion on a just and permanent foundation ; and although the State and individuals are competing with each other, and striving to the utmost of their ability for the establishment of Schools, and there is annually expended £1,000,000 of the public funds of the country for the same purpose, " opinion," as Lord John Russell expresses it, " is still in the gristle on this subject in England ;" and, in consequence of this, " a Royal Commission is at present engaged in enquiring into the present state of education of all classes in England and Wales, and upon the fair and impartial display of facts expected from it, Parliament and the nation will have to decide. Diversity of creeds, sects, and denominations, and their jealous rivalry and opposition to one another, have, no doubt, kept this great and momentous question so long unsettled in England ; and it is much to be feared, that the same causes, continuing to operate, will, for a long time, prevent its happy solution."

When thus the foremost, the most powerful, the richest, and the most enlightened nation of the earth, has, with all its earnestness for the establishment of one common system of school education for its youth, been hitherto, by such conflicting influences, disappointed of its attainment, have we not the greatest reason to be proud of and thankful for that comprehensive wisdom which devised, and that truly Christian and patriotic policy which, notwithstanding the diversity of creeds which obtains in the Colony, induced our Legislature and the people at large to acquiesce in the establishment and maintenance of our *non-sectarian* and *non-political* system of Free Education—of the salutary working of which we have already had so much happy experience !

In sustaining the position that nothing but general prosperity, virtue and happiness are the genuine and direct results of good and thorough education of a people, Lord John Russell, in his inaugural speech before the National Association for the promotion of Social Science, lately held in Liverpool, England, expresses himself thus :

" I will not waste your time in examining and refuting the objections which have been made to the general education of the people. It may suffice for me to say that it is education which enables the Scotch labourer's son to compete with the most favored of his contemporaries, to rise to the highest posts of dignity and power, and to scale the loftiest eminences of science. It is education which enables the United States of America to proceed in their wonderful career, upheld by the most popular institutions, without serious disturbance of law and order. It is education which, in England, has mainly prevented such tumults as, forty years ago, broke the peace and alarmed the

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minds of this country ; it is education which has bound the mass of the people to the Throne by the links of an enlightened loyalty."

In Canada, School Inspectors speak of men now living who, although of "lowly birth and parentage obscure," have, through common school education and perseverance, raised themselves to the highest situations, religious and political, in the province.

To these undeniable assertions indicative of the amazing amount and wonderful extent of individual and public benefit which popular education has, within the last forty years, conferred upon our fellow subjects in other parts of the British Empire, I now refer as affording us the most encouraging evidences of what may most beneficially and happily be accomplished among ourselves, if we steadily continue to uphold, and wisely study to perfect or improve our admirable system of Free Education.

The working of the system may, I feel convinced, be greatly improved ; but I venture to predict that, if no adverse circumstances arise to impede or arrest the progress of education under it, now happily perceptible even in the least favoured localities of the Island, soon shall we be able, with equal truth, to say that the distinctions arising from mere accidents of birth and position, which too long, in this Colony, made it appear as if one class of men—and that the great majority—were born to be mere "hewers of wood and drawers of water," whilst another—and that, as to number, of most insignificant amount—were the hereditary lords and rulers of the Island—have for ever disappeared before the light of general education, and that here are no longer recognized any distinctions or differences between one man and another, save such as Pope indicates, in the following expressive line, as properly dividing men into two distinct classes, and shewing that to which any individual belongs,—

Worth makes the man, and want of it the fellow.

Statesmen—men worthy of the name—British statesmen especially, now act under the thorough conviction that in order to entitle themselves to genuine respect and positive honor while living, and to ensure their names being handed down to posterity amongst those of the truly great and good, amongst those of the real benefactors of mankind, they can do so by no other means than the most active manifestation of an unquestionably philanthropic appreciation of the just rights and privileges of the people, which in no way can they evidence more convincingly, than by their full recognition of the undeniable and most important truth, that Education was never intended to be the monopoly of the rich, but that educational institutions, to be the pride and glory of States, must dispense their benefits to all branches of their citizens.

By the Free Education Act, education has become a birth-right, and placed within the reach of every child among us. Reading, writing, arithmetic, grammar, geography, and book-keeping, with the addition of algebra, geometry, trigonometry, surveying, and navigation, are the scholastic attainments which may now be acquired in many, if not most of our District Schools ; and although these branches of education are but a few, a very few of the many which spring from the great tree of knowledge, yet are they, with virtuous dispositions, a sufficient foundation for such moral and intellectual habits as constitute the source and foundation of success and eminence in life.

The course of District School Education, as prescribed, or contemplated by the Act, if enlarged,

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as, in my opinion, it certainly ought to be, by the addition of declamation to reading, of drawing to writing, of composition to grammar, and of geology and mineralogy to geography; and, independently, in extension of the course—of Astronomy, Natural Philosophy, General History, Government or Constitution of Great Britain, Political Economy, Botany, Chemistry, Natural History, Physiology and Singing, would be amply comprehensive for the requirements of the country; but, until it shall have been so extended and improved, it must, I think, be considered defective by every competent judge.

RELIGIOUS INSTRUCTION.

In several of the Schools which I have visited, the business of tuition commences, every morning, with prayer, and the reading by pupils, in class, of a portion of the New Testament. In such schools, the business of the day is—generally, but not always, also concluded with prayer. In a few, the Teachers read daily, to the pupils, passages from the Old or New Testament; and, in a few others, no form of prayer is used, either at the opening or at the closing of school; and in these, neither is the Bible read at all. In no School District, however, the school of which I have visited, does the least dissatisfaction exist, so far as I have been able to ascertain, either on account of the practice of the offering up of prayers and the reading of the Scriptures in schools, or in consequence of the neglect therein of these religious exercises or observances. The good sense of the people has taught them, as I think always would, if they were left to its free exercise and guidance, that this matter or question should not be one of legislation so much as one of mutual voluntary arrangement between the Trustees (the representatives of the parents) and the Teacher; but that, whether any religious exercises in school be sanctioned or not, the principles of religion and morality should be inculcated upon all the young persons who compose it. On this subject I have, wherever I have lectured since my appointment to the office of School Visitor, expressed myself as follows:

With regard to the extent and nature of the religious instruction which ought, in my opinion, to be imparted to children in mixed schools or in schools in which the masters and the parents of the children belong to different denominations of christians, it would, I think, amount to perfidy and a betrayal of trust of the most grievous character, were a teacher to endeavour to indoctrinate the minds of his scholars according to his own peculiar religious views, or the distinguishing tenets of the Christian denomination or Church of which he is a member. With respect to modes of faith and points of doctrine, touching which diversity of opinion obtains among Christians, a teacher ought in schools to refrain from all teaching and comment, and most scrupulously and conscientiously confine himself, if he enters upon the subject of religion at all, to the setting forth and the enforcing of those great and leading truths of Christianity, which are acknowledged and received by all who call themselves by the name of the divine Author of our faith. In fact, in mixed schools, that is, in schools in which the teachers and the parents of the children do not all belong to the same Christian denomination or church, the Holy Scriptures, if read at all, ought to be read without any—even the most distant—approach to anything like doctrinal teaching or exposition; and, to the simple reading, not one word ought to be added, by the teacher, beyond mere explanation of words, historical or

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geographical information, or explanations concerning the peculiar laws, customs, and manners of ancient eastern nations spoken of in the Bible, if he be able to afford them readily and correctly.

Some may be of the opinion that the religious instruction imparted to the children, by their Sabbath School teachers and by their parents at home, is or ought to be quite sufficient for the sowing of the good seed in their hearts; and so, perhaps, in some cases it may be. I think, however, that generally, if no attempts be made to impress the precepts of religion upon their hearts and minds—to instil into them the principles of piety, justice, and a sacred regard for truth, love of their country, humanity, and universal benevolence, sobriety, industry, frugality, chastity, moderation and temperance—except in Sabbath Schools, in church, or in their own homes, the consequences, in many instances will be, that children will, however erroneously, imbibe the notion that religion, like their Sunday clothes, is only for Sundays and other times of particular or special religious obligation; and that as their Sunday garments are, so religion is best laid aside for the rest of the week, or at all other times, as being inconvenient or unsuitable for common or every-day wear or use. If children never hear of God and Christ, of heaven and hell in school, they will, I think, be in great danger of being led into practical unbelief—of being in a manner practically taught that religion has no necessary connexion with their education, the culture of their minds, or the improvement and application of their talents. Schoolmasters are to their scholars, during the hours of tuition, instead of their natural parents; their scholars should be children of their adoption, and in their practice, as parental teachers, they ought ever to remember that God requires them “to keep the words which he has commanded them in their hearts—to teach them diligently to their children—to talk of them when they sit in their houses, and when they walk by the way, and when they lie down, and when they rise up.”—Deut. vi, 6 and 7. To their parents and spiritual pastors, however, ought to be left the imparting of peculiar tenets in religion; for indeed “the constitution or order of religious discipline of each religious persuasion enjoins upon its pastors and members to teach the summary of religious faith and practice required to be taught to the children of the members of each such persuasion.” Therefore, to impose upon any of our District Teachers the teaching of the catechism of any religious persuasion, is not only taxing him with a work of supererogation, but a direct interference with the disciplinary order of each religious persuasion; and were such teaching provided for by law, it would, to use the language of Mr. Ryerson, the Chief Superintendent of Schools in Upper Canada, be—not a providing by law for the extension of religious instruction and the promotion of Christian morality; but a providing by law for the neglect of pastoral and parental duty, by transferring to the common school teacher the duties which their church enjoins upon them, and thus sanctioning immoralities in pastors and parents;—which must, in a high degree, be injurious to the interests of public morals no less than to the interests of children and of the District Schools. The theory, therefore, of denominational day schools is as inexpedient on religious grounds as it is on the grounds of economy and educational extension. Economy as well as patriotism requires that the schools established for all should be open to all on equal terms, and upon principles common to all—leaving to each religious persuasion the performance of its own recognized and appropriate duties in the teaching of its own catechism to its own children. Surely it is not the province of government to usurp the func-

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tions of the religious persuasions of the country; but it should recognize their existance, and therefore not provide for denominational teaching to the pupils in the common schools, any more than it should provide such pupils with daily food and raiment, or weekly preaching or places of worship. As the State recognizes the existance of parents and the performance of parental duties by not providing children with what should be provided by their parents—namely, clothing and food—so should it recognize the existance of religious persuasions and the performance of their duties by not providing for the teaching in the schools of that which each religious persuasion declares should be taught by its own ministers and the parents of its children.

I am persuaded that the religious interests of youth will be much more effectually cared for and advanced by insisting that each religious persuasion shall fulfil its acknowledged rules and obligations for the religious instruction of its own youth, than by any attempt to convert for that purpose the common day schools into denominational ones, and thus legislate for the neglect of duty on the part of pastors and parents of the different religious persuasions. The common day school and its teacher ought not to be burthened with duties which belong to the pastor, the parent, and the church. This opinion, I believe, prevails among many Christians in this Island; for in the course of my professional visitations, I have found that in every Protestant district, in which the heads and adult members of families profess to hold the Holy Scriptures in greater reverence than Protestants of other denominations may seem to do, there is nothing to which the people appear to have a stronger objection, as Christians, than to school teachers presuming to interpret or comment upon any passage of Holy Writ in school; and further, such Christians when they are the majority in a School District, will not allow the prayers prescribed by the Board of Education to be used in the school. The education of the youth of the country consists not merely of what is taught in the day school, but also of what is taught at home by the parents and in the church by the pastor. And if the religious part of the education of youth is, in any instance, neglected or defective, the blame rests with the pastors and parents concerned, who, by such neglect have violated their own religious canons or rules, as well as the express commands of the Holy Scriptures. In all such cases pastors and parents are the responsible, as well as the guilty parties, and not the teacher of the district school or the school system.

A denominational college—or denominational colleges—however, may, with the greatest propriety, receive public aid, when the aid afforded is for the advancement of science and literature alone, because such colleges, where they exist, are the most economical, efficient, and available agencies for teaching the higher branches of education in a country; but such aid is not, and ought not to be given until after a large outlay has been made by its projectors in the procuring of premises, erecting or procuring and furnishing buildings; and the employment of professors and teachers—evincive of the intelligence, disposition, and enterprize of a large section of the community to establish and sustain such an institution.

In connexion with this question, I am very glad to be able to state, for general informarion, that the difficulty concerning the exclusion of the Bible from the Normal School has at length, very happily, been got over. A Resolution which proceeded from the Board of Education, and which

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was, after some slight modification adopted by the Executive Council, has, I trust, set it at rest for ever.

By this regulation, it is made quite evident that both the Board of Education and the Executive Council recognize the desirableness of affording, as far as possible, to the scholars in the public schools of this Island, the benefit and advantage of a religious and moral, as well as of a literary education.

TRUSTEES.

The labours devolved upon School Trustees by the Education Act—labours, however, rather implied than expressed in the Act—are most onerous in their nature; and, were they ably, faithfully, and fully discharged, they would be of the highest value; for their constant supervision of the schools would keep the machinery by which education is to be effected, in good order, and in constant and successful operation, and secure to teachers what the earnest and faithful among them so much require, to prevent that flagging of the spirit and that feeling of despondence which disregard for their services, amounting almost to contempt both for the individuals and their calling, is so apt to occasion—I mean the generous sympathy and hearty co-operation of parents, without which no teacher can reasonably hope for much success in his profession.

In the first place, it is the duty of the Trustees of a District Free School, to take care that, when a new school-house is to be erected, the building shall be in every respect what the Education Act requires a District School-house to be, or contemplates its being; and that, when the building shall have been properly finished, it shall be suitably furnished. They should next make provision for the regular sweeping, dusting, &c., of the school-room and the furniture; in winter, and at all other times when a fire is required in it, taking care that the school shall be supplied with a sufficient quantity of good firewood, ready cut and split for use, and that the fire shall be regularly made at a stated hour every morning—in winter early enough to admit of the room's being well warmed before the time for opening the school.

As regards the old log school-houses—and the greater part of those which I have inspected are of this class—from the fact of their being imperfectly finished as they at first were, so liable to derangement and decay, even a more scrupulous attention to their condition should be required from Trustees than seems to be necessary with respect to that of those of a new and better construction, and the very insufficient, not to say shameful state—as, however, with respect to some, I feel I ought to say—in which I have found many of them, affords but too much reason for a reflective observer to conclude that the people in whose midst such school-houses are suffered to exist, can be but little concerned for the advancement of popular education. In fact, to such an one, it might almost appear as if an attempt were actually being made to ascertain the utmost amount of disadvantages, inconveniences, and discouragement, under which anything like useful or necessary education can be prosecuted, or that teachers can be made to endure, rather than abandon their profession.

DUTIES OF SCHOOL TRUSTEES FURTHER CONSIDERED.

I am very well aware that, whilst in some School Districts, men properly qualified to discharge the duties of school trustees are to be found, yet in others it is very difficult, if not impossible to find

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men possessed of such educational requirements as can fairly be considered sufficient to enable them to discharge the duties and obligations imposed upon such officials by the law. I am aware also, that this general paucity, in our rural school districts, of men capable of properly acquitting themselves of the duties of school trustees, has—through the same individuals having from sheer necessity, been again and again elected to the trusteeship—rendered the discharge of its obligations a very burthensome and disagreeable duty, particularly when it has been found necessary to enforce payment by legal assessments.

The non-fulfilment of their duties by school trustees—whether, as to the past, it may have proceeded from a want of proper educational qualifications on the part of those elected to the office, or whether it may have been attributable to the disinclination to the proper fulfilment of them arising from a dread of exciting the ill-will of the defaulters—might, I am fully persuaded, be effectually guarded against by such an amendment of the law as I have now to suggest.

At the commencement of the scholastic or school year—which, as I shall by and by endeavour to shew should be the same day in all the districts throughout the Island—let it, by law, be made imperative upon the inhabitants of every school district to hold a public meeting, duly convened, for the purpose of ascertaining who amongst them are the best qualified to discharge the duties of school trustees; and let a list, alphabetical or otherwise, of such individuals, fairly and fully comprehensive be made out; and, this having been done, let, in pursuance of a further provision of the law, the individuals composing such list be required to serve in such capacity in due rotation, under certain liability to a clearly defined and suitable penalty for non-compliance with such requirement of the law, and for every instance of culpable neglect in the fulfilment of any of the important duties so devolved upon them.

The principle which I would, in this manner, have called into operation—compulsory as it is—is by no means at variance with the spirit of our free institutions; but, on the contrary, is absolutely necessary for their preservation, as scores of instances might easily be adduced to prove.

The duties of school trustees are properly defined in the law as it at present exists; but, for want of a penalty for non-performance, they, especially as respects the most important of them all, quarterly examinations of the schools, have scarcely in any instance been duly and properly discharged.

The holding of quarterly examinations by the trustees of the schools, and their frequent inspection of the Teacher's Registers, must be held to be duties of paramount importance; and, if enjoined under penalty, as they ought to be, every neglect of them should unfailingly draw down upon the defaulters the full legal punishment provided for it. This penalty or punishment might be either a pecuniary fine, to be paid by the individuals against whom neglect of official duties might be proved, or a closing of the school for a certain season, as a general punishment of the inhabitants for their culpable disregard of their own and their children's welfare, as dependent upon the progress of popular education—the teacher, however, not to be involved in such punishment, unless he shall, at the same time, have been culpably remiss in the discharge of his own especial duties.

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Of the quarterly examinations, the teachers themselves should always be the chief conductors, because when so conducted, they would afford not only convincing evidences of the progress made, or being made, by the pupils in their several studies, but would also be a fair means of testing the professional abilities and qualifications of the teachers themselves. I say the teachers themselves should always be the chief conductors of these examinations; but I do not mean that they should be the sole examiners. On the contrary, I consider it to be the duty of trustees and parents, at such examinations, when capable of taking part therein, to do so, in a subordinate manner, to the extent of their abilities. Such participation therein would seldom fail to enliven the pupils, and to call forth the most favorable and pleasing display of their mental acquirements. However, in all cases to secure such quarterly examinations of the schools and such records of these examinations in the trustees' books as might altogether be depended upon for ascertaining the real characters both of the schools and of the teachers, for the information of the Board of Education and the Legislature, endeavours should always be made—and, when duly and earnestly made, they would almost invariably prove successful—to procure the attendance at these examinations, and the active countenance and guidance therein of some one or more ministers of religion, medical practitioners, or other men of superior education, who are located in different sections of the country; for I am persuaded that, unless some inevitable hindrance or insurmountable obstacle stood in the way, no minister of Christ would decline an invitation to take part in a work so much in accordance with the character of his sacred mission; and neither do I believe that any truly respectable medical practitioner, or any other worthy or estimable member of society, possessed of an educated or cultivated mind would, whatever his calling or occupation, refuse, unless restrained by some unusual or unavoidable exaction of duty of another kind, to acknowledge in a proper spirit the complement of a request to lend his aid to render, for the public good, such an examination, as comprehensive, as beneficial, and as encouraging as it ought to be.

“FORM OF AGREEMENT WITH TEACHER,” AND “TEACHERS’ CERTIFICATE TO OBTAIN SALARY,”—*neither of which is in accordance with the letter and spirit of the law.*

First, with respect to the Form of Agreement with Teacher. All will admit that where there is a contract both parties should be equally bound, and neither should have an advantage over the other. This principle of even-handed justice is, however, very far from being observed, in the form of Agreement under consideration. By sec. 21, 17th Vic. cap. 3, it is provided that no teacher shall be entitled to his half year's salary, unless during the half year the average daily attendance shall have amounted to twenty. Now, is not a moment's reflection sufficient to shew that no teacher can possibly have it in his power to compel such, or indeed, any other attendance of pupils? And is it not quite as obviously true that, although the average daily attendance of pupils may—owing to causes over which the teacher had no control whatever—have been below the amount required by law, he may nevertheless have conducted his school duly, faithfully, and punctually, in conformity with the statutes of the Island, and the rules and regulations of the Board of Education for and during the term—six months—for which he ought to receive a certain specific al-

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lowance. Most certainly. And yet the teacher—owing to the unfair manner in which he is dealt with in the agreement—is to suffer the loss of his half-year's salary, in the event of his not having had the prescribed daily average attendance of pupils for the six months, although he may have fully, faithfully, and efficiently acquitted himself of every obligation imposed upon him by the agreement.

Great and monstrous indeed is the injustice to which teachers may thus, according to the strict letter of the law, be subjected. If then I have fairly stated the case, as I think I have, the necessity of such an amendment of the law, on this point, as that suggested by me—an amendment which would render its operation, in such particular, perfectly just and reasonable—must be imperatively demanded; and, fortunately, it may very easily be effected. The prescribed "Form of Agreement with Teacher," if amended so as to make it personally obligatory upon the Trustees, for themselves and the other inhabitants of the School District, who may be liable to assessment on account of the school, strictly and fully to do their duty in keeping up the requisite attendance of pupils, would of itself secure the complete and satisfactory working of our present system of popular education. According to the present form of agreement, the trustees loosely engage "to keep in as regular attendance as possible all the scholars resident in the said district." Now, I humbly submit that an obligation so worded is, in fact, no obligation at all. To render the obligation effectually binding upon the trustees, they should, by law, be positively required to engage—not as now, "to keep in as regular attendance as possible all the scholars resident in the district," but to keep up the full average daily attendance of scholars required by the law, unless the prevalence of epidemic or contagious disease in the district, shall render it impossible for them to do so; and, in case they shall fail to keep up the average daily attendance of scholars required by law, except as above excepted, although the teacher shall have fully and faithfully performed his part of the agreement, and they shall not, on account of the average daily attendance having fallen below the amount required by the law, be able to grant him (the teacher) the certificates necessary to enable him to receive the allowance to which he would, otherwise, be entitled from the Treasury of the Island, then, and in every such case, the trustees should be bound in a suitable penal sum to pay to the teacher immediately the full amount of the allowance which, otherwise, he would have been entitled to draw from the Treasury of the Island—the amount to be finally raised by assessment of themselves and others liable to assessments on account of the school.

Some, perhaps many, in the country, would object to this proposed amendment, as being of too stringent a nature as respects School Trustees. Reasonable and right-thinking men,—men who set a just value upon popular education—would, however, I am persuaded, think otherwise, and cheerfully acquiesce in its operation should it become law. Such men would, I doubt not, readily perceive, on duly considering it, that its direct effect on the one hand would be at once to close schools in settlements in which they are either not required or not deserved; and, on the other, to cause them to be faithfully and zealously sustained in all districts in which they are really required and truly desired.

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I could very easily argue further in support of it; but as these observations and suggestions have already extended to considerable length, I shall now leave it, without further remark, to the wise consideration and sound judgment of those to whom especially it is intended to be submitted; that is, first to the Board of Education and next to the Legislature—to the first, to recommend its adoption in practice, if they concur with me in opinion concerning it; and to the other, to make it law, if they approve of it.

If this proposed amendment of the "Form of Agreement with Teacher" be adopted, it will be necessary also slightly to amend the "Form of the Teacher's Certificate to obtain Salary." As the form of this certificate now stands, the trustees, thereby, certify that the teacher "has diligently, faithfully, and soberly discharged his duties during the last months, as teacher of our school, and has duly kept a journal of the said school during the said period." The amendment in such case necessary in such certificate would be to this effect: "and the average daily attendance of pupils during the said period has been twenty," or more if the fact be so. By the by, the Board of Education will find, on reference to 17th Vic. cap. 3, sec. 36, something like a rule or precedent for this proposed amendment of the "Form of the Teacher's Certificate to obtain Salary." It is there expressly declared that no teacher in Charlottetown shall be entitled to receive a salary unless he or she shall have taught at least thirty scholars, and such must be specified in the respective certificates. And to this, with much propriety, I may add, that if such precision as, in such case, to the number of pupils taught by any district teacher in Charlottetown, be just and necessary—and I think it is unquestionably so—many circumstances concur in shewing that it is still more required as respects our rural district schools.

GENERAL CONDITION OF OUR DISTRICT SCHOOLS.

The state of popular education in Prince Edward Island, notwithstanding the great exertions which have been made to advance it, is still very low in some parts of the country. I may, however, I believe, safely say that the general condition of our district schools is satisfactory and encouraging. The character of the schools is much superior, and the teachers are of a superior order, both as regards their moral characters and their intellectual attainments, compared with what they were before the introduction of the Free School system. We may now indeed look with the greatest satisfaction upon the very high characters of many of our teachers, and rejoice in the improvement in their pecuniary position. What was once the incubus of the profession in this Island, has been removed; scarcely one, perhaps I might truly say not one, individual of really intemperate habits, is now to be found among our teachers; and, at our present rate of progress, the day cannot be far distant when the designation of a teacher will associate with it the true moral and intellectual idea of "the gentleman."

By the improvement of the teacher's pecuniary position, here and elsewhere, has been solved a great moral problem—by it a mystery in man's moral nature has been cleared up—a problem and a mystery which had long puzzled and perplexed many of the most keenly scrutinizing among our moral censors. It has been proved that many men—men naturally endowed with the most amiable dispositions, men at all times capable of clearly discerning what is right from what is wrong—nay

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more, men who love what is right, even whilst doing what is wrong—men who are qualified to render the most valuable and honourable services to their fellow-creatures—men who, withal, are unfortunately possessed of a full conviction of their own worth, may—through the oppressive and crushing weight of public injustice, through feeling themselves doomed, as it were, by an irrevocable decree, to toil, although uselessly, through life, like unrequited and despised slaves—be so broken and degraded in spirit, so sunk and debased in their own estimation, so hopeless and reckless, as actually in the end, to seem to casual observers, to be worthy of no better fate than the galling bondage, poverty, and degradation they have, however unjustly, been made to endure; and further, it has been proved that such men, when once fairly relieved from the bondage and misery by which they have been debased and vilified, and when placed in positions of moderate competency and comparative independence, may be found truly worthy of being ranked among the most meritorious benefactors of our species. May it also teach us the lesson which nearly all seem to have so much need to learn—although Christ so plainly taught it—that the best way to improve men's characters, and to reclaim the erring, is earnestly to endeavour to do them substantial good; and that, very frequently, freely to accord to individuals the fulfilment of pecuniary remuneration, respect and confidence, to which, in the positions which they occupy, they ought to be entitled, is the very best means by which to render them most deservedly so!

I have said that since the introduction of the Free School system, the characters both of the teachers and of the schools have become greatly superior to what they previously were; but that no injustice may be done to certain teachers who, even under all the disadvantages and in spite of all the discouragements attendant upon the old system, faithfully and successfully acquitted themselves of the duties and obligations imposed upon them under it, it must be admitted that such of these teachers as are still living and still in the profession, have, by no means, waned in honorable repute, although, of late, a few young men of surpassing educational acquirements and great natural aptitude for teaching have been added to our educational corps, and are individually securing to themselves a reputation superior to that of many others in the profession, but that they still stand deservedly high in public estimation as talented, faithful and successful instructors of youth.

Of the merits, both of such of the worthy veterans and of the talented recruits in the service as have come under my observation, I have had great pleasure in making honorable records. These records may be found in their proper places in the annexed detailed report of my school visitations.

Towards the promotion of real popular education, the Legislature have nobly done their part; and, insufficient as the salaries which they have provided for teachers, are for the fair remuneration for such as are possessed of the higher order of qualifications required by the Free Education Act, it must yet be admitted that they have strained their ability to the utmost in that respect. Still, however, granting that every teacher of the highest order were in the receipt of a salary of £60 per annum, may it not reasonably be asked "What are £60 a year as an inducement for young men of energy and talent, (and none lacking these qualities should be employed) to devote themselves to the profession of teaching? Who can seriously contemplate a settlement for life, and the forma-

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tion of domestic relations, with such a prospect before him? The effect of this inadequate remuneration of good teachers is, that men of the right character either shun the vocation as a poverty-stricken one, or else pursue it only until they can leave it for more promising and lucrative engagements.

In order to induce men of learning and other necessary qualifications, contentedly and thankfully to settle down as rural District Teachers, not merely for a season, as birds of passage, but permanently, as *bona fide* residents, due local encouragement must be given by the inhabitants of the rural districts themselves. What, from the scantiness of the public revenue, is left insufficient by the Legislature, must be made sufficient by the wise liberality of the people themselves. If the people do indeed wish education—the tree of knowledge—to grow up and flourish and extend its branches, to throw its wholesome and protecting shade on all around, and to scatter its fruits over the land, they must tend it with more care, and promote its growth with greater liberality and more decided earnestness. To this I will at present merely add, that the “suiting of the amount of remuneration to the rate of qualification by a judicious gradation of salaries,” is, in my opinion, positively the thing most needful to be done at present with a view to the “bringing in of a better state of things;” and it ought to be done immediately. Too many of our teachers are mere inexperienced and illiterate boys; and the worst of it is that—uninfluenced by and strangers to, such wisdom as that possessed and displayed by Plato, who, when asked how long he meant to be a disciple, said, “As long as I am not ashamed of growing better and wiser,”—they think they have enough to entitle them to rank among the “lights of the world” when they have secured their Licenses. The preposterous practice of employing such boys as the District Teachers, and allowing them as high a recompence for their labours as is paid to the very best and most experienced of the profession, was very justly condemned by the Rev. Mr. Fitzgerald, at a recent meeting of the Board of Education; and, I believe, every other member of the Board then present concurred with him in opinion respecting it. It can easily be shown to be glaringly unjust on different grounds; and I therefore, hope it will soon be reformed.

SCHOOL-HOUSES.

In calling attention to the state of our District School-houses, I cannot do better than to adopt the language of Thomas Cross, Esquire, M. D., one of the School Inspectors of Upper Canada, whose experience on this head seems to have been closely similar to my own, and whose opinions relative thereto are exactly such as I entertain myself. With that gentleman then I say, there is nothing which so truly and so eloquently conveys to the mind of a stranger the moral and social condition of the people amongst whom he is sojourning, as the appearance and character of those houses devoted to the intellectual training of their youth. They stand as evidence of the liberality displayed in the support of that cause on which alone can be based a people's social happiness, or a country's prosperity. I have found that in many districts, little or no attention is paid to the appearance or comfort of the School-houses; the buildings are insufficient, the internal arrangements are miserable, and the furniture very imperfect and inconvenient. I have, in several instances, as may be seen by my detailed report, directed the attention of Trustees to this important matter. In some, my sug-

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gestions have, I understand, been promptly attended to, whilst, in others, nothing, I believe, has been done towards improvement. The necessity of every district's obtaining a freehold on which to place the school-house is moreover, I think apparent; but I know of only one in which this has been done: this one is Carleton School, Cape Traverse. One acre well fenced and neatly laid out in shrubbery would not only add to the respectable appearance of the neighbourhood, but would also contribute to the enjoyment of the pupils, and, by giving them early habits of taste and neatness, might mould their characters to such habits in after life. Not one district school house of all that I have visited, has any play-ground attached to it; and two only have the common convenience of a privy—a convenience which ought to be looked upon as essential to preserve that innate modesty which ought to characterize the minds of the youth of both sexes.

It might, one would think, be believed that, as an educational spirit advances among the people, they will become properly aroused to a just sense of the obligations under which they are placed to consult for the intellectual welfare of their children, and that, consequently, a marked improvement will take place in the character and appearance of their school buildings, and that a generous emulation will pervade the inhabitants of every section to excel their neighbours in the external decorations and conveniences of these houses. However, in my opinion, the only effectual means by which to secure really good and sufficient school-houses, is for the Legislature at once and finally to decide the matter by making the providing of a good, suitable, and suitably furnished school-house, with all necessary appurtenances, a *sine qua non*. Let them expressly declare by law that, until this shall have been done in a district, the inhabitants thereof shall not be entitled—as in fact they are not, even as the law now stands, if it be rightly interpreted and duly acted upon—to any of the peculiar advantages as respects Government allowances to teachers, &c., which the law confers upon those who have duly entitled themselves to them by a proper observance of the pre-requisites enjoined by the law; and the much needed reformation in this respect will quickly be effected. Were the Legislature to act in this manner, there might, perhaps, be many loud complaints against it, in different sections of the country, for a time; but irritated parties, having given vent to their spleen, would ere long, quietly submit to what they had, at first, considered their hard fate; and soon perceive that the only effect of the legal compulsion had been to secure to them and their children a great and lasting benefit.

The erection of a much superior class of school-houses must, I again repeat, be insisted upon—must, in fact, with suitable furniture and apparatus, be made a *sine qua non*—internal arrangements must be carefully studied to suit practical utility, or it will be altogether impossible to introduce into our free schools the normal-school mode of training and teaching, and they will never become what they ought to be, sanctuaries for the training of children in intelligence and in moral and religious principles.

The few really good, sufficient, respectable, and suitably furnished school-houses which, in the course of my official tours, I have visited, are duly noted in my detailed report; and it must be admitted they afford most pleasing evidences of the superior moral and social condition of the inhabitants of those districts in which they have been erected.

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Proposal for making the Engagements of District Teachers all commence on the same day, or at the same period of the year.

If that Section of the Education Act by which it is declared that no teacher shall be entitled to his or her half-year's salary, unless he or she shall have taught, on an average, twenty scholars every day, for six months for which he or she may claim an allowance, is to be enforced in the manner in which, I think, I have shown it ought to be acted upon, it will be necessary, in order to afford to all teachers equally advantageous opportunities for keeping up their averages, to add to the Act—in accordance with a suggestion of the Rev. Mr. Fitzgerald—a Section, providing that the engagements of all District Teachers—each of which must be for no less a period than twelve months—shall commence on the same day or at the same period of the year—which day or period might be either at the beginning of January or of July, in every year. The necessity for such an amendment of the Act, will be evident from a moment's consideration of the fact that, in some School Districts, the attendance of scholars in the schools is very small in the winter months, owing to the inability of parents to provide their children with suitable winter clothing, although, in summer, it is above the average required by the law; whilst in others, in which the inhabitants are in better or more comfortable circumstances, the attendance of pupils in the schools, during the winter months is the greatest, and in summer—owing to the practice of parents in keeping their children home, at that season, to assist them in their agricultural labours—it is the smallest.

By such an alteration in the law, it is quite clear that teachers in the poorer districts would be placed—as they ought, at all times, to be placed if possible—on almost as advantageous a footing for securing their full salaries, as their professional brethren in the richer districts.

Proposition for increasing the discretionary powers of the Board of Education, as respects Teacher's Petitions for allowances when not entitled, according to law, to their full salaries, and other matters affecting the individual interests of Teachers.

The Board of Education, as it is at present, and as it has long been constituted, is distinguished, not only by superior talents and learning, but by great and unremitting zeal for the advancement of the educational interests of the Colony, tempered, on all occasions when they have to decide concerning the individual interests of Teachers, by the most charitable, liberal, and honourable feelings; and I venture to hint that it would be well—not only for the purpose of procuring an immediate decision, which, in all cases of doubt and difficulty, is most desirable, but indeed on all other accounts—were the Board of Education to be empowered to award final judgment, after due investigation, in all cases of professional grievances, real or imaginary, in which the teachers have hitherto been in the habit—as advised and permitted—of petitioning the Legislature for redress.

NORMAL SCHOOL.

Upon the Normal School System of Training Teachers, as it is at present practised among us, and upon the advantages resulting from it, I would now remark at some length, were it not that I am withheld from doing so by consideration of the unfavourable circumstances under which my observations would, in all probability, just at this time, be brought under the notice of the Legislature.

Under this head, therefore, I will merely observe that Stow's Training System—being, as he himself explains it, “primarily intended to provide an antidote to the exposed condition of youth and the demoralizing influences of large towns and rural villages”—would, if applied to general education, be found to be greatly *retardative*, instead of *accelerative*, of *individual* progress.

My observation of the practice of its *labour-retrenching* principles, both in the Normal School itself and also in the two or three District Schools, visited by me, in which attempts have been made to carry these principles fully into practice, warrants my saying that, were it *fully* established and *strictly* acted upon in all our District Schools, it would, notwithstanding that there is much which is truly excellent and estimable in the system,—be, upon the whole, rather injurious than beneficial to the interests of general education.

In simultaneous or class tuition, and in oral lessons on natural science and the arts—the imparting of general knowledge—besides the accustoming of pupils to habits of scrupulous personal cleanliness and propriety, and of order, method, and regularity in all they do—consist the chief excellences of the system; and these, if combined, as, in my opinion, they very easily might be, with such successful and approved modes of *general* tuition and *separate individual* advancement, as are practiced in the Central Academy and in all well conducted private schools, would render our Free School System of Education as nearly perfect as, I think, the most reasonably sanguine with respect to the progress of popular education, can expect it will ever become.

Educated as I was in an English Academy of the highest repute and most extensive celebrity, and qualified, as I am, by forty years experience of respectable and successful practice as a teacher, I hope I may be allowed to pronounce with some degree of confidence, both concerning the utility of the Normal School and the professional character of the Master of it. See Mr. Monk's report appended hereto.

A few of our Teachers who have been students, in the Normal School, under the training of Mr. Monk, may thus—particularly *through their having been possessed of natural aptitude for the conception and the discharge of the duties of a School-master*—have been rendered much more efficient teachers than they would otherwise, perhaps, have been. The names of the teachers—whose schools I have visited—who fairly come within this category, are Catharine Sencabaugh, Artemas Leard, David Walker, William Craig McKie, George Muttart, John Currie, and James Irving. But it would be a monstrous absurdity to suppose that all the young men and young women—mere boys and girls in general—who have been under the training of Mr. Monk for only *three months* each, have, by such training, been perfected in the art of tuition, or even rendered capable of discharging the duties of District Teachers in a moderately satisfactory manner.

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On this subject, a very forcible and elegant writer on Education, thus expresses himself: "A very common impression is, that any person of tolerable character, who has been through a school, and acquired the elements of the branches taught, is qualified to teach; as if the art of teaching were nothing more than pouring into the mind of another what has been poured into ours; as if there were no such thing as mind to act upon, habits to form, or character to influence." To be qualified to discourse upon our moral and religious duties, a man must be educated by years of study; to be able to administer to the body in disease, he must be educated by a careful examination of the body in health and in disease, and of the effects produced on it by external agents; to be able to make out a conveyance of property, or to draw a writ, he must be educated to it; to make a hat or a coat, to make a plough, to make a horse-shoe, he must be educated by years of apprenticeship; but to prepare a man to do all these things, to fill the mind with useful knowledge, to educate it to comprehend all the relations of society, to bring out all into full and harmonious action; to educate the moral nature, in which the very sentiment of duty resides, that it may be fitted for an honorable and worthy fulfilment of the public and private offices of life; to do all this is supposed to require no study, *no apprenticeship*, no preparation.

I need not insist upon the applicability of this observation to the present state of our District Schools, the majority of which are entrusted to the management of inexperienced, or untrained teachers. A moment's consideration will enable any one who is at all qualified to judge in the matter, that to make a young man or a young woman a good teacher, *an apprenticeship*—not of *three months*, but of *years*—must be necessary. The only way in which, it seems to me, any remedy can be provided for this clamant evil, would be to effect an union of the Normal School with the Central Academy; and to allow the students being trained in the art of tuition under the Normal School Master, to be exercised or employed, in some sort of regular succession, as *apprentice* assistants in teaching classes in the Academy, under the eye, not only of the Normal School Master, but of the Head Master of the Academy, either until they should be sent forth from it with well-merited diplomas, or else dismissed as unlikely to be ever, or at least in any reasonable time, entitled to licences or certificates of sufficiency as teachers.

It is the opinion of the Board that before any candidate receives a licence he should provide a certificate from the Head Master of the Central Academy or from the Master of the Normal School of his ability and skill in the art of teaching.

SCHOOL-VISITOR.

Under this head also, I have been prepared to offer some observations, which, in my opinion, would be found worthy of the attention both of the Board of Education and the Legislature; but as circumstances are not, at this time, auspicious to their due consideration, I will, for the present, very briefly dispose of them.

The situation of School Visitor is one of the most important—nay, second to none—in the Colony. The first care of the Government, therefore, with respect to it, should, at all times, be to see that it is filled by an individual, duly qualified, not only by educational acquirements, but also by all other attributes necessary to the befitting discharge of his onerous duties and most serious—

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ought I not to say *sacred*?—obligations; and, having thus selected a suitable person to fill the office, then to see that the remuneration for the performance of the important duties imposed upon him, shall be such as to enable him to discharge them in a truly respectable and independent manner.

On the principle that none but an experienced soldier or seaman, accustomed to command, and to the discharge of the highest duties of his profession, could, on the one hand, properly be appointed to review a regiment, or, on the other, be justly commissioned to inspect a ship of war; so no one but a man, whose judgment, with respect to all matters directly bearing upon the science of teaching, has been matured, and, in a manner, perfected, by a long course of *respectable* and *successful* practice in the vocation, should be appointed a Visitor of Schools. And not only should the individual holding this appointment be a man of long, practical, approved, and successful experience as a teacher of youth, but also a person of gentlemanly bearing, address, manners, and conversation, and particularly of gentlemanly habits. Besides, he should, in an especial manner, be qualified to deliver lectures, in a popular style, on various scientific and literary subjects; and, above all, be able to labour successfully in this manner to the convincing of the people of the vast importance and influence of our common schools, and to their enlightenment as to the nature, dignity, and position of these institutions.

In the discharge of his duties, the individual occupying the highly important and honorable position of School Visitor, should be guided by higher and more ennobling motives than those which the mere emoluments of office confer; but unless the amount of emoluments fairly correspond to the amount and importance of the duties to be performed, and are such as to enable the Visitor to disregard, and to act independently of substantial favours at the hands of those with whose interests he has to deal in the capacity of a judge, the great probability is that, whilst receiving such favours, be they either from the Teachers or Trustees of Schools, or from others having direct interest in the Schools, he will, in many cases, from a sense of the obligations conferred upon him, be unduly warped in his judgment, and withheld from the faithful and just—because it would be a painful and ungrateful—discharge of his duty. The plain and simple fact is—as any man, by a very simple calculation may convince himself—that the annual Salary of the School Visitor—£200—is a very insufficient remuneration for his services, unless he is still to be compelled, as our School Visitors have hitherto been, to throw himself upon the hospitality of the country, not only at the complete sacrifice of his independence, but, perhaps, in many instances, at that of his real efficiency also. The people of Prince Edward Island are not, I positively believe, exceeded, even if they are equalled, in the extent and cordiality of their hospitality, by any other people on the earth; and to be an object of their free exercise of it may be, nay, no doubt, is frequently both highly pleasing and honorable to the individual upon whom it is bestowed. But, when, from the low state of the finances—from his positive inability to defray his travelling expenses,—a man, as in the case of the School Visitor, is obliged to seek it, and, it may be, obtrude himself upon the attentions of a family, who either may not wish, or may not be able conveniently to entertain him, he must—if he is a man capable of any-

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thing like **self-respect**, or dignified sentiment—feel himself greatly humiliated and degraded by the necessity. Surely the Government and the Legislature will see, and practically acknowledge the necessity of rectifying or discarding this false and injurious economy with respect to the important and honorable office of Superintendent of Public Instruction!

I beg leave to acknowledge that, in the course of the preceding remarks, I have, in two or three instances, incorporated with my own, some of the ideas of E. Ryerson, Esquire, Chief Inspector of Schools in Upper Canada, chiefly under the head, "Religious Instruction;" and also that, in other two or three instances, I have made free use of some valuable hints which I have found in a work, entitled "The School and the School-master," by George B. Emerson, A. M., of Massachusetts, U. S.

In concluding these remarks, I may, I trust, be permitted to state that, on reflecting on the manner in which I have discharged the important duties of School Visitor, during the short period for which I have held the appointment, I rejoice in the assurance afforded by my own conscience that I have faithfully and zealously acquitted myself of all the obligations of my important trust, according to the best of my ability; and I have reason to believe that my official services, so far as they have extended through the country have been acceptable to the people.

In every District which I have visited, and particularly wherever I have sojourned for a night or longer, I have been entertained with a degree of respect and kindness far exceeding my deserts. To the several warm-hearted individuals whose courtesy and hospitality have been most freely extended to me, I beg leave to return my most grateful acknowledgments, and the assurance that I shall ever gratefully cherish in my breast the pleasing remembrance of them.

R. B. IRVING,

Acting School Visitor.

NORMAL SCHOOL,

Charlottetown, April 30th, 1859.

Sir;

I have the honor herewith to present you a list of Students who have entered this Institution for the year 1858. Including the 61 reported to the late Inspector of Schools, the total number of persons enrolled as Normal Students up to the present Session is 88, of which 15 are females.

It affords me much pleasure to state, that there is a marked improvement in the acquirements of persons presenting themselves for admission as Students, which may be taken as an evidence of a correcter understanding throughout the country of the object of this institution:—that it is not a mere Seminary in which intending Teachers may simply attain knowledge, but one in which to acquire the art of communicating it. Although this is the specific aim of a Normal School, opportunities of obtaining knowledge are amply provided. The Student listens to all the lessons given by the Master, and, with us, performs the same exercises as the senior classes in the Model School, in addi-

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tion to practice in teaching. Altogether this department is in a much more satisfactory condition than when reported to your predecessor, in December, 1857.

The quarterly abstracts of the Registers of the Model School for 1858 furnished to the Board of Education, shew the average number of Girls to be 28, and of Boys, 43,—total average 71, which is a decrease of about 20 under the previous year. This decrease is owing to the number of Girls being much less than formerly, the reason of which I cannot assign. This diminution is by no means to be regretted as a positive loss. Most of those of both sexes who have left belong to that fluctuating class, which invariably attend what is called *cheap* education, where the advantages obtained are immeasurably above their cost, and are prized, not according to their just value, but as they affect the pocket. This gives rise to the irregular, unpunctual class referred to, which forms the pest of a school, and of which the Model School is now fortunately tolerably free; so that, with the exception of Saturdays, one day's attendance seldom presents a greater variation over another than 3 or 4.

I again deem it my duty to press the necessity for a Male Assistant. As I fully expressed my views on this point in the report already alluded to, it is needless to add anything further, except to state that the progress of the pupils, and the general efficiency of the school increasingly demand the appointment of a second master.

I have the honor to be, Sir,

Your obedient servant,

WILLIAM MONK,

Head Master of Normal School.

Robert Blake Irving, Esq., }
Inspector of Schools. }

COPY OF STUDENTS' REGISTER—1858.

SIXTH SESSION:—COMMENCED MARCH 1ST, 1858.

1. Miss Ellen Wells, Cascumpec.
2. " Isabella Forsyth, "
3. Mr. Allan Matthews, "
4. " James Murphy, China Point, Lot 50.
5. " Augustine McInnis, Grand River, Lot 14.
6. " Alex. Martin, Springton, Anderson's Road.
7. " John McKay, Kildare Bridge, Lot 3.
8. " Thomas Foley, New Glasgow, Lot 22.
9. " Michael Curran, Georgetown Road, Lot 56.
10. " James Irving, Cherry Valley.
11. " Peter Gunn, Malpeque Road, Lot 67.
12. " John Crowley, Princetown Royalty.

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SEVENTH SESSION:—COMMENCED JULY 27TH, 1858.

1. Miss Charlotte Butler, Lot 48.
2. " Anne McGregor, "
3. Mr. Horatio Morrow, St. Peter's Bay.
4. " John Gavin, Sea Cow Pond.
5. " Jonathan McWilliams, Tryon.
6. " John Arseneaux, Egmont Bay.

EIGHTH SESSION:—COMMENCED NOVEMBER 1ST, 1858

1. Miss Eliza Nantes*, Rustico.
2. Mr. Allen Matheson, Three River Road.
3. " John McEachern, St. Margaret's.
4. " Daniel McInnis, Red Point, Souris.
5. " Archibald McNeill, Charlottetown.
6. " Edward Reilly, "
7. " Charles Martin, Orwell Head.
8. " John Thomas Tuthill*, Charlottetown.
9. " Henry McCallum, Brackley Point.

*Left before term of attendance was completed.

Number of Students above reported	27
" " previously "	61
Total " " reported up to current session,	88

WILLIAM MONK,
Head Master of Normal School.

SCHOOL VISITOR'S REPORT IN DETAIL, From 1st October, 1858, to the 28th April, 1859.

King's Square, Charlottetown; John Arbuckle, Teacher; Second or Highest Class. Register, 46; present, 21; average daily attendance, 30. Reading, 46, 4 classes; good, and with understanding; meanings of words and spelling good. Writing, 22; fair specimens. Arithmetic, 14; fair in simple rules. Grammar, 8; well taught—fair knowledge for juniors. Geography, 8; fair. Dictation, 22. Other branches, 2. Latin Grammar—conjugated three verbs through most of the moods and tenses very correctly. Remarks—State could not be determined from the junior classes present. Asked for the Register of the previous quarter, and Mr. A. told me it was in the hands of the trustees.

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- Hillsborough, Charlottetown; Ewen Amos, Teacher; First or Lowest Class. Register, 32; present, 12. Reading, 32; 2 classes; good, meanings and scope of lessons well understood. Writing, 26; fair; some specimens very good. Arithmetic, 23; quick and correct in this branch. Grammar, 8; well taught; elements well understood. Geography, 27; very correct in outlines. Dictation, 15; no class present. Other branches, oral exercises, 12. Remarks—Order and discipline good. The master is evidently a good and faithful teacher.
- Rochfort, Charlottetown; James Currie, Teacher; Second or Highest Class. Register, 47; average daily attendance, 37. Reading, 47; very fair; spelling, correct; explanations and analysis creditable. Writing, 29; copy-books clean; specimens generally fair—some very good. Arithmetic, 24; in professed rules, ready and correct on their slates, although rather slow in mental calculations. Grammar, 14; fair knowledge; parsing very correct. Geography, 17; fair knowledge of outlines. Dictation, 8. Remarks—The examination upon the whole, served to shew that much care and attention are bestowed upon his pupils by the teacher.
- Pownal, Charlottetown; Edward Roche, Teacher; Second or Highest Class. Register, 147; present, 86; average daily attendance, 105. Reading, 147; 5 classes; well taught—scope and meaning of lessons duly comprehended; analysis good. Writing, 73; generally good—some specimens very good. Arithmetic, 56; 3 classes; very good—ready and correct. Grammar, 35; very good. Geography, 77; taught in a most successful manner; the Geography of the Island well understood. Dictation, 42; regular. Other Branches—Algebra, 3; Geometry, 1; Recitation, 53; one who recited Byron's Epitaph on a Dog, did so with much propriety, taste and judgment. Remarks—Mr. Roche's abilities as a teacher are clearly of a very high order; and the extent and variety of knowledge acquired by his pupils are surprising.
- Kent Street, Charlottetown; Elizabeth McKinnon, Teacher; female. Register, 48; present, 45; average daily attendance, current quarter, 40. Reading, 48; 5 classes; spelling, 3 classes; reading, distinct and correct, with fair understanding; spelling and meanings good. Writing, 27; much above average ability. Arithmetic, 25; 5 classes; very creditable as far as Interest. Grammar, 2 classes; very fair. Geography, 1 class; very fair. Remarks—Order good; discipline judicious; all that I saw and heard in the School spoke highly in favor of Miss McKinnon, as an efficient, faithful, and zealous teacher.
- Dunstaffnage; David Walker, Teacher; First or lowest Class. Register, 54; present, 22; average daily attendance, 26. Reading, 54; 5 classes; 11 in Sullivan's Spelling Book; explanation of passages read, good; spelling, very correct. Writing, 42; copy-books clean—specimens fair, some very good. Arithmetic, 3 classes; highest in Cube Root; tolerably ready and correct. Grammar, 8; 2 classes; highest through Lennie—well taught. Geography, 21; 2 classes; tolerably correct in general outlines. Dictation, 17; 1 class exercised regularly. Remarks—junior classes only present; the majority kept at home by their parents, to assist them in raising the potatoe crops; order good, and the School evidently well governed.
- Suffolk Road; James McDonald, Teacher; First or Lowest Class. Register, 23—Boys 13, Girls 10; present, 7; average daily attendance, 16. Reading, 23; the children present being mere infants,

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they were not examined. Writing, 11; no copy books in the School. Arithmetic, 11; no slates. Grammar, 8. Geography, 8. Remarks—The current quarter commenced on the 30th of August, and will terminate 27th November; of this quarter the teacher has taught 3 whole weeks, this week being the fourth; Register has not been regularly kept, and the School seems to be quite disorganized.

Sydney Street, Charlottetown; Miss McDonald, Teacher; female. Register, 79; average daily attendance, 45. Reading, 79; 5 classes; good—meanings generally well understood; spelling very correct. Writing, 26; generally good; some specimens very good. Arithmetic, 35; 3 classes: in the simple rules very ready and correct—a class in Interest made their calculations quite correctly, and with great readiness. Grammar, 12; well acquainted with Etymology. Geography, knowledge of—very creditable. Dictation, a class took down a rather difficult exercise with much readiness and great correctness. Remarks—The examination was highly creditable to Miss McDonald, and plainly proved her to be a well qualified, diligent and conscientious teacher.

Belmont, or East Royalty; Henry M. McLeod, Teacher; First or Lowest Class. Register, 44—Boys, 25, Girls, 19; average daily attendance. 26. Reading, 44; good—spelling and meanings very good; analysis good. Writing, 23; copy-books clean—writing fair; some specimens very good. Arithmetic, 30; tolerably ready and correct; in calculation of prices and Interest three or four shewed great dexterity; mental calculations once a week. Grammar, 19—2 classes; fair in Etymology; parsing, pretty fair. Geography, 34; well acquainted with general outlines. Dictation, 12; exercised once a week. Book-keeping, 2; books well kept. Other branches, Recitations once a week. Remarks—Mr. McLeod is evidently a good and faithful teacher. All that I saw and heard in this School, was very creditable, both to teacher and scholars; and, I think, I may say, to parents also.

Georgetown, and all the Schools on Georgetown Road from Minchin's Point to Georgetown. Left Town to visit these Schools, on Tuesday, 12th October, 1858. Remarks—All these Schools were closed at the time I intended to visit them, that is, between the 12th and 16th inst. (October.) Cause of closing, potatoe raising.

Sturgeon, Gaspereaux. Remarks—Also closed, same cause.

Brudenell; James McLeod, Teacher; First or Lowest Class. Register, 34—Boys 21, Girls 13; present, 5; average daily attendance, 27. Reading, 34—5 classes. Writing, 21—clean books—style very good. Arithmetic, 19—3 classes; highest in Mensuration, (Gray). Grammar, 11—2 classes; highest through Rules of Syntax. Geography, 13; (Chambers's Geographical Primer). Remarks—School-room clean, comfortable, and well furnished. Present quarter commenced on the 11th. Could not ascertain the general state of the School, so few of the pupils being present.

Whim Road; Donald Bethune, Teacher; First or Lowest Class. Register, not kept; present, 6; Reading, indifferent: not understood. Writing, 12; no copy-books in the school-room. Arithmetic, 6 in Practice; others beginners. Grammar—no class. Geography—no class. Remarks

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—No Trustees' Book kept. Three only of the Trustees can write. The children who were in School—5 boys and 1 girl—pronounced pretty well, considering that they scarcely understand or speak English at all, their mother tongue being Gaelic. The School-house is new, but unfinished; In its present state, not fit to be occupied during the severity of the winter. The teacher is far from being an educated man; but, in such a settlement, as speaking Gaelic, by means of which he explains their lessons to the scholars, he is very servicable.

St. Peter's Road; Robert Robertson, Teacher; First or Lowest class. Register, 38—Boys 19, Girls 19; present, 9; average daily attendance, 24 previous quarter, 17 current quarter. Reading, 38—5 classes. Writing, 32. Arithmetic, 22. Grammar, 10. Geography, 21. Other branches, 32 in Holy Scriptures. Remarks—Statistics from Register. From the small number present—9 mere children—could not, from personal observation, ascertain the general state of the school.

Charlottetown Royalty West; Daniel McKinley, Teacher; First or Lowest Class. Register, previous quarter not duly kept—none in school; current quarter, 27—Boys 20, Girls 7; average daily attendance, teacher cannot tell—not made up: current quarter, 20. Reading, 27—5 classes; very bad, and without understanding: tried 5 of the 7 present, 2 of them boys, the elder 15 years of age, the younger, 10: their spelling and meanings of words equally bad. Writing, 21; specimens poor. Arithmetic, 14—3 classes; highest in Cube Root: tried the two senior boys present in Practice, and found them very unskilful and incorrect. Grammar: the same two boys were tried, and found to have scarcely any knowledge of it. Geography, 12—2 classes; the same two boys were tried in Geography, and found to have as little knowledge of it as they have of Grammar. Book-keeping, 2; 5 practised in making out accounts on their slates. Remarks—Three weeks of the present quarter will have expired to-morrow, (23d October). The School appears to be in a disorganized state. No entries of any kind made by the Trustees in the Record Book, although they are very respectable men. The majority of the scholars absent, assisting in raising potatoes. Admonished the teacher. School-house badly furnished, and much in need of repairs against winter.

Milton, Lot 32; Murdoch McLeod, Teacher; First or Lowest Class. Register, 32—Boys 17, Girls 15; present, 6—Boys 2, Girls 4; average daily attendance, 11; for the previous quarter it was 21. Reading, 32; 5 classes; fair—spelling good. Writing, 23; copy-books clean, but the writing not good: the fault is in the system, the scholars being put into small-hand too soon, and afterwards practised in small-hand only. Arithmetic, 30; mental calculations once a week. Grammar, 14; —2 classes. Geography, 24,—1 class; (Chambers' Geographical Primer). Dictation, 12,—1 class; once a week. Book-keeping, 2, (Hutton's) Books creditably kept. Other branches, Composition, 7, Recitation, 28. Remarks—The current half-year commenced on the 11th September, 1858. The first two weeks were given as the vacation, so this half-year has been open only four weeks. The few children present being very young, did not examine them. Statistics taken from the Register.

Little York; David Ferguson, Teacher; First or Lowest Class. Register, not duly kept, —teacher

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says he fills it in at home; present, 6—Boys 2, Girls 4; average daily attendance, previous quarter 19; for 4 days current quarter, 16; and for one day in October, 8. Reading: the two boys read in the New Testament, very badly; could not answer one question on the lesson,—ages, 10 years and 9 years. Writing: copy-books clean, and some specimens of writing by the elder girls quite superior in style. Arithmetic: tried the eldest girl (13 years old) in calculation of prices, and found her very inexpert. Geography: tried the eldest girl—she answered two or three questions. Classes for the current quarter, which commenced on the 11th September, not registered. Remarks—Present half-year commenced 12th June, and will end 4th December. First week in June, no school: the teacher's father being sick, the Trustees gave him leave to go home for that time. Current quarter commenced 11th September. Admonished the teacher, who, although he has been negligent of his duty in some respects, appears to be an amiable and sensible young man.

Cornwall, Lot 32; Malcolm Darrach, Teacher; First or Lowest Class. Register, current quarter, 35—Boys 15, Girls 20; previous quarter 70—Boys 34, Girls 36; average daily attendance, present to-day, 16—Boys 7, Girls 9. Reading, 35; reading, spelling, and meanings, good. Writing, good. Grammar, indifferent. Geography, indifferent. Dictation, 15; none present. Book-keeping, 3; none present. Remarks—Monday, 1st November, 1858. Inspected this School this day. Number of pupils present, 16—7 boys and 9 girls: eldest a girl of 14 years, and youngest a girl of 6 years. The School-house, which is new, is a good, substantial building, in all its dimensions conformable to the law. It is well furnished, and, in all respects, clean and comfortable. It is in fact a credit to the District. The senior pupils not having yet returned to school since the close of the Fall Vacation, I have not been able to ascertain what progress has been made in their studies by the pupils generally. Judging by the few copy-books in school, I think writing is carefully and successfully taught by the teacher.

Dog River, Lot 31; John Livingstone, Teacher; First or Lowest Class; Remarks—Register for the current quarter not filled in. Teacher opened school this quarter on the 22d Sept. and taught until the 15th October, (the commencement of the Fall Holidays,) with an average daily attendance, he thinks, of 10 or 12. Previous quarter—he opened school on the 13th June, 43 on the Roll,—19 boys and 24 girls. The potatoe-raising not being quite over in the District, the senior pupils have not yet returned to school since the termination of the vacation. The average daily attendance during the previous quarter had not been ascertained by adding up, &c., until it was struck at a little over 20 by me this day, 1st Nov, 1858. Left a notice to the Trustees to the effect that unless the School-house, which is greatly out of repair, be put into a better condition, without unnecessary delay, and the same be forthwith certified to the Board of Education, the school will be closed.

New South Wiltshire; Charles Fowle, Teacher; Register, 22—Boys 13, Girls 9; average daily attendance, current quarter, first week, 22. Reading, 22. Arithmetic, 1 class—mere beginners. Grammar, 1. Geography, 4. Remarks—Tuesday, 2d October, 1858. Visited this School this day. The Fall Vacation of 3 weeks (1 week extra having been given) terminated on Saturday, the 30th

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October; but, as the potatoes have not yet been all raised in the District, the scholars have not yet returned to school. The Register and the Record or Trustees' Book have been duly kept. Of the current quarter, which is the 3d of Mr. Fowle's current engagement, school has been taught one week only, but the whole 22 attended every day. Their ages range between 5 and 11 years. The School-house is a good, comfortable and respectable one; and everything in it and about it seems to be kept in good order and repair.

Ten Mile House; Patrick McQuade, Teacher; First or Lowest Class. Remarks—the school was closed, and had been so for more than a week, the teacher being unable to discharge his duties in consequence of his having a whitlow on one of his right-hand fingers.

Glenaladale; William Callaghan, Teacher; First or Lowest Class. Remarks—Reached this School-house at a little after 1 o'clock; p. m. Found it closed, and no signs of its having been open this day, (3d November, 1858).

Glenroy. Remark—Found this School-house closed.

St. Andrew's. Remarks—Early in the afternoon (10th November, 1858), found this School closed: before 3-o'clock.

Cable Head; Ellen McKenzie, Teacher; female. Remarks—This Saturday (13th Nov. 1858), being holiday, the school-house was closed, and the teacher was absent from the Settlement.

Goose River. No Teacher.

Big Bush, Lot 45; Donald McIntosh, Teacher; First or Lowest Class. Remarks—School-house closed, the teacher being from home.

Morrell Rear, Lot 39; Simon Gill, Teacher; First or Lowest Class. Register, 66, being the number in the District; present to-day, 8—Boys 3, Girls 5; average daily attendance, current quarter, 24. Reading, 56. Writing, 30; none of their copy-books in School-room, except one. Arithmetic, 23. Grammar, 3; not present. Remarks—Thursday, 4th November. 1858. Visited this School this day. Number of children between the ages of 5 years and 16 years in the District, according to the Register, sixty-six. Number present to-day, 8—3 boys and 5 girls; the eldest, 12 years and the youngest, 5 years. Of the current quarter, which commenced 10th September, 1858, the master has taught 19 days, and the average daily attendance of pupils appears by the Register to have been, up to this date, (4th November) to-day included, to have been 24. Besides the regular vacation of 2 weeks, the Trustees allowed the teacher a week extra, which he has to make up at the end of the quarter. The School-house is wretchedly furnished, and so greatly in need of repairs, that unless it shall be thoroughly repaired immediately, it cannot, with any thing like due regard to the comfort and health of the teacher and pupils, be kept open during the ensuing winter. The Register must, in future, be kept exactly in the manner prescribed by the Board of Education. No Record or Trustees' Book kept. In future, one must be kept. The preceding is a copy of the Remarks endorsed on the School Register by me this day.

Morrell; Artemas Morrow, Teacher; First or Lowest Class. Register 26—Boys 10, Girls 16; present to-day, 10—Boys 3, Girls 7; average daily attendance, 9. Reading, 26—6 classes: fair, spel-

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ling and meanings good. Writing, 16; creditable, some specimens very good, Arithmetic, 16; ready and correct in calculating Prices, Proportion, and Practice. Grammar, 7; fair knowledge of Etymology. Geography, 9 or 10; fair in outlines. Dictation, 8 or 9; twice a week on an average. Book-keeping, 2. Remarks—Thursday, 4th November, 1858. The current half-year, the last of the Teacher's engagement commenced on the 14th Sept. 1858. The School-house is a good, comfortable building; but it is indifferently furnished, as respects desks and benches; in fact, for the comfort and convenience of the children, both should be altered and improved. Required the Trustees to cause these defects to be remedied. The teacher states that he commenced teaching this quarter on Thursday, 14th September, but did not begin to mark the daily attendance of pupils until the 6th October. From the 6th October to the 1st November—3 weeks—the school was closed; 2 weeks of this time being the Autumnal vacation. The school was reopened on Monday, the 1st inst. and the average daily attendance since, up to this time, (4th Nov.) to-day included, is 9. The teacher is a young man of highly respectable appearance, modest and sensible, and, as far as educational acquirements are in question, appears to be well qualified to teach, but he has been remiss in his duty, in not having strictly observed the Regulations of the Board of Education touching School Registers.

St. Peter's Old, Lot 39; Robert D. McEwen, Teacher; First or Lowest Class. Register, 28—Boys 16, Girls 12; present to-day, 16—Boys 9, Girls 7; average daily attendance, previous quarter, ending 21st August, over 21; current quarter, to this date, over 19. Reading, 28; good, and with decided understanding. Writing, 14; books very clean—style very good. Arithmetic, 14; in Practice, Interest, and Fractions, very creditable. Grammar, 9; knowledge of grammatical construction of sentences, and of derivation, very accurate. Geography, 9; correct in the outlines—well acquainted with divisions. Dictation, 9; once a week. Remarks—Friday, 5th Nov. 1858. Visited this school this day. Number of pupils present, 16—9 Boys and 7 girls; all perfectly clean, well clad, and apparently cheerful and orderly.

Marie, Lot 40; John Foley, Teacher: First or Lowest Class. Register, 19; average daily attendance, current quarter, 15 to date of this visit; previous quarter, in 60 days, $20\frac{1}{2}$. Reading, 19—4 classes; reading, spelling, and meanings, fair. Writing, 9; some specimens fair—writing paper very poor in quality. Arithmetic, 9; highest in Proportion—pretty well in calculation of prices. Grammar, 2; through Etymology; parsing, fair. Geography, just commencing. Dictation, 2—once a week. Remarks—Friday, 5th November, 1858. 53 pupils on the Roll for the quarter which ended on the 16th October, 1858. Current quarter commenced 15th October, 1858; but the master did not commence teaching until the 25th October, 1858. He has taught in all, this quarter, 1 week of 5 days, and 4 days of the week which will end to-day. No Record Book is kept, and the Trustees, it seems, have been negligent in the discharge of their duties.

Midgelle, Lot 41; Henry Anderson, Teacher; First or Lowest Class. Register, 30—Boys 17, Girls 13; average daily attendance, current quarter, over 13 to this date; previous quarter, over 20. Writing, fair,—some specimens very good. Remarks—Number present to-day only 6—1 boy and 5 girls—youngest 5 years, eldest 13 years. Current quarter commenced 18th Sept. 1858.

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There is a book called the Record or Trustees' Book, but it does not contain one record made by Trustees, School Visitor, or any other visitor. The School-house is a new and superior one, but with the exception of one desk—a double one—it is badly furnished. The daily attendance has not been shewn, as it ought to have been, by figures at the foot of each column, although it has been indicated by the proper marks; by adding up, I find it has been over 13.

North Side St. Peter's Bay, Lot 40 and 41, Minor School; Elizabeth McAulay, Teacher: female. Register, 32—Boys 15, Girls 17; present to-day, 17—Boys 10, Girls 7; average daily attendance, current quarter, $22\frac{1}{2}$; previous quarter, over 20 on 43 days. Reading, 32—3 classes. Writing, 7; very good: large hand, round and small hands, pretty fair. Arithmetic, 5; highest—2 in Long Division. Grammar, 5. Geography, 5. Remarks—Friday, 5th November, 1858. Visited this School this day. Children cheerful, and apparently orderly and well behaved. The School-house, a new building, is of the proper dimensions, but it is not finished: it is neither plastered nor boarded, inside or outside. If not made comfortable before the setting in of winter, it will have to be closed. Left the following notice to the Trustees: "Unless the Trustees shall immediately cause the School-house to be finished, in the one way or the other, that is, inside or outside, it will not be at all fit to teach in during the severity of the approaching winter, and will, therefore, have to be closed." N. B.—The School was closed for three weeks, (besides the 2 weeks of vacation), during which time of 3 weeks, the teacher was in Charlottetown. This lost time she will have to make up.

Cardigan Road, Lot 41; John Keenan, Teacher; First or Lowest Class. Register, 45—Boys 16, Girls 20; average daily attendance, current quarter, to this date, 22. Reading, 45—4 classes. Writing, 11; copy-books not in the school-room. Arithmetic, 11; highest in Proportion. Grammar, 11; through Etymology. Geography, 11; outlines. Remarks—Saturday, 6th Nov. 1858. Register appears to have been duly kept; there is not, however, a Record or Trustees' Book in the School-room; and neither is one kept. Besides, the teacher has not in the school-room, nor in his possession a copy of the School Acts now in operation. I have repeated the notice of 15th Sept. 1858, of my predecessor, Mr. McNeill, concerning the necessity of having the school-house repaired without delay, with this addition to it—that unless this notice be duly attended to forthwith, the Board of Education will, most probably, order the school to be closed.

Big Cape, Lot 42; Donald H. McDonald, Teacher; First or Lowest Class. Register, 21—Boys 17, Girls 4; average daily attendance, current quarter, up to this date, 11 1-7. Reading, 21; fair, spelling and meanings good. Writing, 13; fair—free style. Arithmetic, 13; expert and correct in Reduction, Proportion, Interest, and Vulgar Fractions. Grammar, 5; good in Etymology and parsing. Geography, 12; well acquainted with outlines. Dictation, 5. Remarks—Monday, 8th Nov. 1858. Visited this school this day. Register duly kept. Trustees' Book—none. Mr. McDonald's mode of teaching and the mild but firm discipline exercised by him over his pupils, are evidently very judicious and successful.

St. Margaret's, Lot 44; Ronald Campbell, Teacher; First or Lowest Class. Register, 53—Boys 32, Girls 21. Reading, 53; very fair, with good understanding. Writing, 21; very fair—some speci-

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mens especially. Arithmetic, 9; ready and correct. Grammar, 8; very good,—parsing particularly good. Geography, 8; very good. Dictation, 8. Remarks—Monday, 8th November, 1858. Visited this school this day. Number present 24—14 boys and 10 Girls. The Register is duly kept; and order, method, and regularity are very observable in all the arrangements of the school. The examination of the school this day by me, has convinced me that the teacher, Mr. Campbell, is possessed of, and practices, with great fidelity, much ability and skill in the art of teaching. No Record Book is kept. Requested that the Trustees would keep one in future.

Priest's Pond, Lot 46; Stephen Campbell, Teacher; First or Lowest class. Register 44—Boys 34, Girls 10; average daily attendance, current quarter, (1st of half-year) over 28. Reading, 44—5 classes. Writing, 16. Arithmetic, 16—2 classes; highest in Position. Grammar, 8—2 classes; highest through Lennie. Geography, 11; outlines. Dictation, 3. Book-keeping, 1. Remarks—School closed, to allow time for repairing stoves and pipes. Statistics, taken from the Register, which appears to have been duly kept. The teacher, Mr. Campbell, is a modest and intelligent young man, and one who, by private study and self-culture, is wisely seeking to increase his stock of learning, so that he may, in time, be able to render himself more useful in his profession.

St. Columbia, Lot 47; Angus McEachern, Teacher; First or Lowest Class. Register, 48—Boys 29, Girls 19; average daily attendance, current quarter, nearly 14, previous quarter, about 30. Reading, 48—5 classes. Writing, 29. Arithmetic, 18—4 classes; highest—Annuities. Grammar, 4; one through Lennie. Geography, 7 regularly; others exercised occasionally. Dictation, 3. Remarks—Tuesday, 9th Nov. 1858. School not open to-day, the teacher having some little private business to attend to. The Register has been duly kept. The school-room is spacious, and well desks; and, I should think, comfortable even during the severity of winter. No Record Book is kept. Directed that one shall be kept in future, and due records be made therein.

North Lake, Lot 47; Catherine McEachern, Teacher; female. Register, 47—Boys 23, Girls 24; average daily attendance, current quarter, over 18. Reading, 47; 4th book class read very fairly; well acquainted with the subject of the lesson. Writing, 27; general style of writing very good. Arithmetic, 15; highest in Interest; tried 3 in calculation of Prices and Interest—they were ready and correct; the more advanced were absent. Grammar, 5; in Etymology and parsing very good. Geography, 5—Geographical Primer—very good. Dictation, 4; freely, well, and correctly written. Remarks—Tuesday, 9th November, 1858. Visited this School this day. Register duly kept; but no Record or Trustees' Book. Several of the pupils have lately had measles; and owing to the delicate state of their health, are not yet returned to school. The desks and benches are very inconvenient, as respects height, for those who write and cipher, and ought to be altered and improved. Notified the Trustees that a Record Book must be kept in future, and due records be made therein.

East Point, Lot 47; James Morrow, Teacher; First or Lowest Class. Register, current quarter, 12—Boys 7, Girls 5; average daily attendance, current quarter, over 7. Reading, 12. Writing, 8; very fair. Arithmetic, 3; Reduction. Grammar, 1; Etymology. Geography, 1; Geographical

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- Primer. Remarks—Tuesday, 9th November, 1858. Visited this school this day. The attendance being very small, did not examine the classes. Register duly kept. No Trustees' Book. Heard two read in the 4th Book. They read very badly indeed. One young man working in Compound Addition, Weights and Measures. There was scarcely any other sign of due activity in the School. The School-house, although unfinished, is comfortable, and pretty well furnished.
- Red Point, Lot 46; Duncan Robertson, Teacher; First or lowest class. Remarks—Previous quarter terminated 21st October, 1858. Teacher re-opened School to-day (Wednesday, 10th Nov. 1858), having been allowed, besides the regular vacation of 2 weeks, 5 days more to admit the making of certain necessary repairs upon the school-house. Only 2 pupils present to-day. Register not in the school-house: had been taken home by the teacher for the purpose, he said, of making out the average daily attendance of the previous quarter. The manuscript books of Arithmetic are the very best that I have hitherto seen in the District Schools.
- Souris West, Lot 44; Mark Sweeney, Teacher; First or Lowest Class. Register, 40---Boys 21, Girls 19; average daily attendance, current quarter, over 24 to this date. Reading, 40—6 classes; fair; with much understanding in the 5th Book; in 3d Book—reading, spelling, and meanings fair; Writing, 15; style of writing generally free and graceful. Arithmetic, 21; highest—Square Root; ready and correct. Grammar, 8; Etymology; parsing fair. Geography, 14; well acquainted with outlines. Dictation, 4; twice a week. Remarks—Thursday, 11th November, 1858. Visited this School this day. Register and Trustees' Book regularly kept. Evidence of great order and regularity; and of a faithful discharge of duty on the part both of the teacher and of the trustees. School-house spacious, and in all respects comfortable, except that the desks are too high.
- Souris East, Lot 44; Edward Lyons, Teacher; First or Lowest Class. Register, 29—Boys 19, Girls 10; average daily attendance, current quarter, over 17 to this date. Reading, 29. Writing, 25. Arithmetic, 13; highest in Exchange. Grammar. 7—through Lennie. Geography, 12—Geographical-Primer. Dictation, 9; twice a week. Remarks—Wednesday, 10th Nov. 1858. Visited this School this day. Commenced, but did not complete my inspection of it; for the day being very cold, and the room in which the school is temporarily taught, being in a very open and unfinished state, the pupils were uncomfortably and inconveniently huddled around the stove. The room at present occupied as a school-room is certainly, in its present state, most unfit for teaching in during the winter; but the teacher says he expects the old school-room will be made comfortably fit for the reception of the pupils, in about 2 weeks from the present time. Copied the above statistics from the Register, which appears to have been duly kept.
- Kingsborough, Lot 47; William McVean, Teacher; First or Lowest Class. Register, not filled in for the current quarter; present, 18—Boys 7, Girls 11. Reading, very poor: ignorant of the full sense. Writing, 10; fair. Arithmetic, 4 present. Grammar, 6; of those present scarcely any knowledge of it. Geography, 5; very well in the outlines. Remarks—Wednesday, 10th November, 1858. Visited this School this day. Number present, 18—7 boys and 11 girls. No names entered in the Register for the present quarter, which is the 3d of the teacher's current engagement, and which commenced on the 8th instant. No Trustees' Book has been kept. On

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the Register for the previous quarter, I find: "11th Sept. 1858. Visited this School, 25 being present. The Register is correctly marked, and the school is in an improving condition. John McNeill, Visitor." The Register has certainly been properly marked, but the daily attendance has not been summed up, and neither has the average daily attendance for the quarter been ascertained. The school-house is close and comfortable, being well boarded or lined inside; but it is badly furnished. Judging from the orderly appearance and behaviour of the children present to-day, and also by their evident docility, I am disposed to believe that the discipline and mode of tuition practiced by the teacher, Mr. McVean, are judicious and efficient, and that his management of the school altogether is such as to entitle him to the general respect and esteem, in which, I have been given to understand, he is held in the District.

Rollo Bay, Lot 44 and 43, Alex. McDonald, Teacher; First or Lowest Class. Register, 46—Boys 29, Girls 26; average daily attendance, current quarter, over 21. Reading, 46—5 classes; method of teaching good; a few read well, and with fair understanding. Writing, 18; very fair. Arithmetic, 16; ready and correct. Grammar, 6; parsing pretty fair. Geography, 16; very fair knowledge. Dictation, 8; once a week. Remarks—Thursday, 11th Nov. 1858. Visited this School this day. Number of pupils present, 17—6 boys and 11 girls. The Register seems to have been honestly marked; but it has not been fully filled in; and neither have the columns been summed up to shew the daily attendance of the pupils.

Chepstow, Lot 45; John McNeill, Teacher. Register, 44—Boys 32, Girls 12. Reading, 44. Writing, 26. Arithmetic, 13. Grammar, 5. Geography, 5. Dictation, 8; once a week. Remarks—Visited this School this day, Wednesday, 10th November, 1858. Register marked, but not added up. Number of pupils present to-day, 10—7 boys and 3 girls. Classes not marked in the Register for the current quarter. Took the above statistics from the Register of the previous quarter. Mr. McNeill, on the 10th Sept. 1858, visited this School and recommended Trustees to improve the School-house by building a stone flue and boarding the walls; but this recommendation has not been attended to. When I entered the school-house it was nearly filled with smoke, the stove-pipe having fallen down a few minutes before, and, consequently, I could not remain to examine the school.

North Bay Fortune, Lot 43; John Campbell, Teacher; First or Lowest Class. Register, 15—Boys 10, Girls 5; average daily attendance, current quarter, over 13. Reading, 15. Writing, 5. Arithmetic, 8. Grammar, 5. Geography, 5. Remarks—Thursday, 11th November, 1858. Visited this school this day. Number of pupils present, 9—7 boys and 2 girls. This School-house is greatly out of repair; in fact, not fit to teach in, either as respects the state of the building or the school furniture. Notified the Trustees to this effect, in the Register, no Trustees' Book being kept.

Eglington, Lot 43; Teacher, William Craig McKie, (a Normal School Student), First or Lowest Class. Register, 56—Boys 29, Girls 27. Average daily attendance, current quarter, 22. Reading, 56—4 classes—good; very well understood; spelling and meanings good. Arithmetic, 14—highest, Practice; calculations readily, neatly and correctly made. Writing, 31—carefully and

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successfully taught; copy-books very clean; specimens very good; some superior. Grammar, 6—Etymology; parsing good. Geography—Geographical Primer; prompt and correct in the outlines. Dictation—twice a week. Book-keeping, 8. Scripture lesson daily. Remarks—Friday, 12th November, 1858. Examined this School this day. The School-house is of the proper dimensions, with 4 sash windows, and it is properly finished inside and outside. Cleanliness, order, method, and regularity are obvious in all things connected with the arrangement and government of the school. The Register is duly kept, but, hitherto, no Trustees' Book has been kept. Notified the Trustees of this neglect. This is the first District School visited by me, in which the Normal School system is practised. The teacher appears to be thoroughly acquainted with it; and, apparently, he carries it as fully and successfully into practice as circumstances will permit. The school, to-day, was opened by the reading of a portion of the New Testament Scripture. The scholars then sung two verses of a hymn. This was followed by prayer—the prescribed form and the Lord's prayer. During the time he attended the Normal School, the Teacher, Mr. McKie, must, I think, have imbibed largely of the professional spirit of Mr. Monk, the highly talented and efficient master of that institution; for, in his government of his school and mode of impressing knowledge upon the minds of his pupils, the energy, promptitude, accuracy and precision, displayed by him, convince me that he, very wisely and successfully, takes that gentleman for his exemplar in the art of tuition.

Little Pond, Lot 56; James McDonald, Teacher; First or Lowest Class. Register not yet opened. Remarks—Friday, 12th Nov. 1858. Visited this School this day. The Teacher, Mr. McDonald, was re-engaged on the 1st instant, and he re-opened school on the 8th instant. It is not, however, re-organized as yet. No Register and no Trustees' Book. Number of pupils present to-day, 9—4 Boys and 5 girls. The teacher has not yet sent in his engagement, or a copy of it, to the Board of Education, but he says he means to post it to-day.

Grand River; William Norton, Teacher; First or Lowest Class. Register not yet opened. Remarks—Friday, 12th November, 1858. Visited this School this day. Number of pupils present, 9—6 boys and 3 girls. Teacher re-engaged 1st inst. and re-opened school on Monday, 8th inst., but it is not yet re-organized. The teacher, Mr. Norton, has not yet sent in his engagement, or a copy of it, to the Board of Education; but he says he means to post it to-day. The School-house is of the proper dimensions, but very far from being finished. In its present state, it is not fit for teaching in. Notified the Trustees that it must be made comfortable without any unnecessary delay, or it will be closed.

Cumberland, Lot 55; Thomas Monro, Teacher; First or Lowest Class. Register, 30—Boys 20, Girls 10; average daily attendance, over 16. Reading, 30. Writing, 15. Arithmetic, 7. Remarks—Visited this school this day—Nov. 18, 1858. Number of pupils present, 21—15 boys and 6 girls. Teacher re-engaged 5th ult., and has taught 4 weeks under his new engagement—two weeks in Oct. having been the regular Fall vacation. The Register duly kept, but no Trustees' or Record Book has been kept. Told the teacher, and Mr. McMullin, one of the trustees, who was present, that such a book must be duly kept in future, as the law requires. The school-house

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is very comfortable, and pretty well desked and benched, and the scholars are respectable in appearance, clean and well clad. The deportment of the pupils is also pleasing, and says much for the school and the domestic discipline and training of which they are the objects; and yet (I regret to say) the school just now does not appear to be in a very healthy or prosperous state.

South Shore, Lot 65; Patrick H. Hennesey, Teacher; (a Normal School Student), First or Lowest Class. Register, 28—Boys 16, Girls 12; average daily attendance, over 23 to this date, from 18th November. Reading, 28—5 classes. Writing, 21; very creditable. Arithmetic, 19; some through Grey. Grammar, 2; Etymology. Geography, 10; on the Maps, Dictation, 10; once a week. Remarks—Wednesday, 22d Dec. 1858. Inspected this School this day. The Register is duly kept. Pupils orderly, and in personal appearance, clean, comfortable, and respectable. I infer, from appearances, that the teacher exercises due authority and salutary discipline. The school-house, however, is altogether “insufficient,” both as respects the building itself and the manner in which it is furnished. It is too small, and not boarded or plastered, either inside or outside. The floor is imperfect—very loose and crazy. Its defects are, in fact, so great that they cannot be remedied unless by the erection and perfect furnishing of a new school-house. The present building might, however, be much improved by the laying down of a new floor, and by the making of some other much needed repairs. Notified the Trustees that the school will not be allowed to continue open in the present insufficient and discreditable state of the school-house for a longer period than 4 weeks from 22d December, 1858.

Rustico Road, Lot 58. Remarks—Monday, 6th Dec. 1858. At the request of the Trustees of this School, visited and inspected the old school-house which had been condemned, but which has recently undergone considerable repair. After having fully examined it, inside and outside, (three of the Trustees being present), I told them that provided they would cause certain internal alterations and improvements to be made, which I considered as necessary; and, having done so, should cause the Board of Education to be certified to that effect, the school might then forthwith be re-opened for the winter.

Winsloe Road, Lot 33; James Higgins Douglas, Teacher; First or Lowest Class. Register, 42—Boys 27, Girls 15; average daily attendance, 22. Remarks—Monday, 6th Dec. 1858. Entered the school-room between 1 and 2 o'clock, p. m., intending to examine the school; but found that although school had been taught in the morning, it was not to be re-assembled in the afternoon, as there was to be early afternoon Divine Service in the neighbouring chapel, which master and scholars meant to attend. N. B.—Classes not yet entered in the Register, the teacher having re-opened the school under a new engagement, so recently as the 1st of this month.

York River, Lot 32; James William Irving, Teacher, (a Normal School Student); First or Lowest Class. Register, 30—Boys 17, Girls 13; average daily attendance, 17 up to date of visit. Reading, 30; very fair, spelling correct, analysis and explanations good. Writing, fair specimens. Arithmetic, ready and correct. Grammar, fair knowledge; parsing (etymological), good. Geography, fair acquaintance with the Maps. Scripture lessons twice a week. Remarks—Tuesday; 30th November, 1858. Visited this School this day. Number of pupils on the Roll, 30—17 boys and

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13 girls. Number present to-day, 24—13 boys and 11 girls, all perfectly clean, and of very respectable appearance. Their demeanour very pleasing, and such as bespoke salutary and judicious training, not only on the part of the teacher but of the parents. The mode of teaching practised by Mr. Irving is, as far as circumstances will permit, that of the Normal School; and much success appears to attend it. The school-house is an entirely new one, well finished inside and outside. It is well and fully furnished, and is, in fact, the most comfortable and respectable of all the District School-houses which I have as yet inspected. The Register has been duly kept. School is opened and closed with prayer. Current quarter commenced 18th Sept. 1858. School up to this date has been taught 6 weeks and 5 days. Two weeks vacation in October. Teacher has to make up 1 week and 3 days.

Brian's Cross, Lot 31; James Berrigan, Teacher; First or Lowest Class. Register, 39—Boys, 24, Girls, 15; average daily attendance, nearly 14. Reading, 39; fair; meanings and spellings good; Fourth Book Class, good understanding of what they read. Writing, 18; copy-books clean, fair specimens. Arithmetic, 15; in calculation of prices, and in interest calculations, ready and correct. Grammar, 1. Geography, 2; fair in the outlines. Remarks—9th December, 1858—Visited this School this day. Number present, 20—13 boys and 7 girls. The current quarter, the first of the teacher's engagement, commenced 12th Sept. and will end 12th Dec. 1858. The school-house is an old one, but clean and comfortable, and pretty well desks. The teacher was a student in the Normal School, but he does not practice the Normal School system; he however, I think, under the serious disadvantages of inconvenient and insufficient school furniture, conducts the school very well. The Scriptures are not read in the school; and neither is any form of prayer used in it.

Bonshaw, Lot 30; Neil McKenzie, Teacher; First or Lowest Class. Register, 50—Boys 28, Girls 22; present to-day, 19—Boys 14, Girls 5,—duly kept; average daily attendance, 19 and seven-tenths up to date of this visit. Reading, 30. Writing, 24; copy-books very clean, style of writing good. Arithmetic, 25; MS. books of arithmetic neatly and correctly kept, Grammar, 7; through Etymology. Geography, 8—Geographical Primer. Dictation, 3; once a week. Scripture lessons twice a week. Remarks—Friday, 10th December, 1858. Visited this School this day. The school-house is a very comfortable one, and pretty well furnished, but the desks are inconveniently high. The personal appearance and demeanor of the scholars are of a very pleasing character; and order, method, and regularity appear to prevail in the management of the school. The current quarter is the first of the teacher's engagement. It commenced on the 21st Sept. and will terminate 18th Dec. 1858.

DeSable, Lot 29; John McLean, Teacher; First or Lowest Class. Register, 35—Boys 24, Girls 11; Register duly kept, but no Trustees' Book; average daily attendance, nearly 21; present to-day, 17—Boys 15, Girls 2. Reading, 35. Writing, 19. Arithmetic, 12; highest in Mensuration. Grammar, 5; commencing Syntax. Geography, 9; Geographical Primer. Dictation, 5; once a week Scripture Lesson once a week; the school is opened and closed with prayer—the prescribed forms. Remarks—Friday, 10th Dec. 1858. Visited this School this day. A new school-house is much

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required. The present one cannot be counted sufficient. It is not boarded or plastered inside and its furniture is also insufficient and very inconvenient. Mr. McQuarrie, one of the Trustees, was present. He admitted the insufficiency of the school-house and its furniture. Allowed the Trustees a period of 5 weeks, in which to have the school-house made more comfortable, and the school furniture altered and improved. Directed that a Trustees' or Record Book shall be kept as the law requires.

Carleton, Lot 28; Augustine McInnis, Teacher; First or Lowest Class. Register, 23—Boys 18, Girls 5; Register duly kept; present to-day, 7—Boys 6, Girls 1. Reading, 23. Writing, 16; very fair. Arithmetic, 13; highest in Simple Proportion. Grammar, 8; commencing Syntax. Geography, 15; Geographical Primer. Dictation, 7; once a week. Remarks—Saturday, 11th Dec. 1858. Visited this School this day. Number present to day, 7—6 Boys and 1 Girl. Judging from the highly pleasing personal appearance and demeanour of the pupils present, and also from the state of the copy-books and of the manuscript books of Arithmetic, I am of opinion that the teacher, although quite a young man, and consequently inexperienced, is one who discharges his duties with much fidelity and success. By the record of my visit, left in the school-house, the Trustees are respectfully requested to take notice that the furnishing of the new school-house, now in progress of completion, (to be finished by the 1st of July, 1859), must be made with a direct view to facilitate the practice of the Normal School system of training or tuition, otherwise it may not be reported as sufficient, that is, of suitable accommodations, &c. N. B.—The Trustees and other parties directly interested in the school, apprehensive that the daily average attendance of pupils, for the current half-year, will be below that required by law, are much afraid that, should the case be so, the Board of Education will close the school, and that the Teacher will be refused the certificate necessary to enable him to draw his half-year's salary. In the summer quarter of the current half-year, the attendance fell below the required average, on account of the prevalence of small-pox, as noted by my predecessor, Mr. McNeill; and now, in winter, many of the children cannot attend for want of shoes, &c., although there are, as I understand, over 40 children between the ages of 5 and 16 years, in the District. I have therefore told them that in my opinion the Board, giving due consideration to these facts, will, most likely, allow the school to continue open, and be willing to certify that the teacher is entitled to draw as much of his half-year's salary as shall be in due proportion to the average attendance as below 20.

Central Bedeque, Lot 26; Murdoch Ross, Teacher; First or Lowest Class. Register, 32—Boys 12, Girls 20; present to-day, 21—Boys 10, Girls 11; average daily attendance, current quarter, first of second half-year of engagement, over 21. Reading, 32—4 classes; fair,—spelling, meanings, and analysis, good. Writing, 22; not as good as it ought to be. Arithmetic, 11; highest in Vulgar Fractions. Grammar, 11; Etymological parsing very good. Geography, 23; Cornell's Geography; very fair knowledge. Dictation, 11; once a week. Composition, 6. Scripture lesson daily. Remarks—Monday, 13th Dec. 1858. Inspected this School this day. The school-house is a new, large, and substantial building; but it is imperfectly and inconveniently furnished, as respects desks and benches. Notified the Trustees that it must be improved in the way of furniture. The

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pupils examined by me in Grammar and Geography, acquitted themselves in a manner very creditable both to themselves and to their teacher. The School is opened and closed with prayer—the prescribed forms.

Lower Bodeque, Lot 26; Alexander Smallwood, Teacher; First or Lowest Class. Register, 32—Boys 14, Girls 18; average daily attendance, current quarter, nearly 16 up to this date; previous quarter, 20. Reading, 32. Writing, 28; very good. Arithmetic, 22; highest as far as Proportion. Grammar, 7; some in Syntax,—Etymological parsing. Geography, 19; Geographical Primer. Dictation, 13; once a week. Recitation, 21. Scripture lesson, daily,—no prayers. Remarks—Monday, 13th December, 1858. Inspected this School this day. The school-house is a good and comfortable one, and well desksed, although the desks are a little too high. It is, however, deficient in benches. The school is in a very creditable state, and affords satisfactory evidences that order, method and regularity are practised and enforced in the government of it. The teacher is afraid that the daily average attendance, for the current half-year, will be less than what is required by law. I told him, that should it prove so, and no blame be attributable in any way to himself, the Board of Education would, I thought, be found willing to state that they considered him entitled to such a portion of his half-year's salary as should bear a just proportion to the real average daily attendance.

Tryon Road, Lot 28; James McGrath, Teacher; First or Lowest Class. No School to-day, (Tuesday, 14th Dec. 1858), the teacher being from home on private business. Examined the School-house. It is in a very insufficient state; not in any way fit for teaching in during the winter. The stove is much too small, and the piping insufficient. The desks and benches must be altered and improved, in their present state, they are insufficient and very inconvenient. Had no opportunity to see and examine the Register.

Searletown, Lot 27; Charles McNeill, Teacher; First or Lowest Class. Register, 67—Boys 37, Girls 30; average daily attendance, current quarter, 25, up to date of visit. Reading, 67—5 classes. Writing, 36—2 classes. Arithmetic, 36—3 classes. Grammar, 27—2 classes; 13 in Syntax. Geography, 67—2 classes; 1st 39, 2d 28. Dictation, 28—2 classes; 1st 10, 2d 18. Composition, 20. Recitation, 20. Remarks—Saturday, 11th Dec. 1858. Visited this School this day. The teacher was absent, this day being his alternate Saturday holiday. The Register is duly kept; and every thing in connexion with the school, which has come under my observation, warrants my full assent to the highly satisfactory character given of it by my immediate predecessor in office, Mr. McNeill.

Cape Traverse, Lot 28; Neil McFadyen, Teacher; First or Lowest Class. Register, 47—Boys 24, Girls 23; present to-day, 21—7 boys and 14 girls; average daily attendance, 22; first quarter of last half-year of engagement commenced 6th November, 1858. Reading, 47—5 classes. Writing, 30; fair specimens. Arithmetic, 15; highest in Mensuration. Grammar, 8; Syntax and parsing. Geography, 10; Geographical Primer. Dictation, 10; daily. Book-keeping, 2; very good: the best manuscript books I have as yet seen; highly creditable. Remarks—Thursday, 16th December, 1858. Visited this School this day. The Register has been duly kept. The personal

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appearance of the children is respectable, and their deportment pleasing. They seem to be very docile and much interested in their studies; and their demeanour affords a strong evidence in favor not only of the School, but of the domestic training of which they are the objects. The School-house is sufficient—warm and comfortable; but it is not conveniently desksed or benched. The School-house being much exposed, a privy is much required. The Trustees will, I trust, attend to these suggestions.

Tryon West, Lot 28; Alexander McDonald, Teacher; First or Lowest Class. Register, 39—Boys 32, Girls 7; present to-day, 21—Boys 15, Girls 6; average daily attendance, about 21. Reading, 39—3 classes; good,—correct spelling—explanations and analysis good. Writing, 25; copy-books clean; style of writing good—some specimens very good. Arithmetic, 19—3 classes; a few through Grey; some very expert and correct. Grammar, 4; Etymology and parsing. Geography, 16;—2 classes; Geographical Primer and Goldsmith; well acquainted with outlines. Dictation, 21; daily; freely and correctly written. Scripture lesson once a day in summer. School opened with prayer sometimes; not always. Remarks—Thursday, 16th December, 1858. Visited this School this day. The school-house is an excellent one, very comfortable, and pretty well furnished. The School is very ably conducted. My examination of it convinced me that Mr. McDonald is a superior teacher. Order, method, and regularity are, evidently, duly practised and enforced by him.

Crapaud West, Lot 27; Jonathan McWilliams, Teacher; (a Normal School Student); First or Lowest Class. Register, 40—Boys 25, Girls 15; average daily attendance, 26 11-39 to date of visit; current quarter commenced 8th November, 1858. Reading, 40—5 classes. Writing, indifferent, but copy-books clean—teacher's style good. Arithmetic, 30; highest in Discount. Grammar, 16; Etymology—no parsing. Geography, 7; Geographical Primer. Book-keeping, 1; pretty well. Bible lesson every morning; no prayers. Remarks—Friday, 17th December, 1858. Visited this School this day. The Register has been duly kept. The current quarter is the first of the teacher's engagement. The school-house is a good and respectable looking building, but internally, in the plastering, it is a little out of repair. It is, however, very badly—very insufficiently—desked and benched, 2 desks and 2 benches only being good and sufficient. Left in the Record Book the following notice to the Trustees: "The Trustees are, very respectfully, requested to pay due attention to my remarks respecting the insufficiency of the school furniture, &c. An alteration in the mode of arranging the desks, &c., would facilitate Mr. McWilliams's practice of the Normal School system of training and tuition, the full introduction of which is most desirable for the benefit of the pupils."

Crapaud East, Lot 29; Robert Ince, Teacher; First or Lowest Class. Register, 35—Boys 22, Girls 13; average daily attendance, quarter ending 11th December, 1858, (first of half-year), nearly 12. Reading, 35; spelling class; 25. Writing, 17. Arithmetic, 12. Remarks—Saturday, 11th December, 1858. Visited this School this day. The school-house is not sufficient, and it is very badly and inconveniently desksed and benched. The School is in a satisfactory state, and seems to be well conducted. The following notice to the Trustees, I left in the Record Book: "The

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Trustees must take immediate steps for the repairing of the School-house, to make it fit for teaching in through the winter; and, at the same time, they must cause the desks and benches to be altered and improved. Four weeks will be allowed in which to have the School-house repaired, &c., and when the whole shall have been effected, the Trustees must cause the same to be certified to the Board of Education. N. B.—The statistics have been taken from the Register for the quarter just expired. The Teacher, Mr. Ince, himself, has told me that during the 4 years he has taught here, he has had, in the winter season, a Dictation class, a class in Geography, and a class in Grammar.

Middleton, Lot 27; George Muttart, Teacher, (a Normal School student); First or Lowest Class. Register, for half-year, first quarter, 52—Boys 29, Girls 23; second quarter, 55—Boys 30; Girls 25; average daily attendance, first quarter, over 27; second quarter, 19. Reading, 52—5 classes. Writing, 23; very fair. Arithmetic, 22; highest through Grey—manuscript books well kept. Grammar, 8; 6 in Syntax. Geography, 23; Geographical Primer. Dictation, 9; twice a week. Remarks—Saturday, 11th December, 1858. Visited this School this day. The School-house is an old, but a very comfortable one. It is, however, insufficiently and inconveniently desks and benched. School orderly. Pupils of respectable appearance and pleasing demeanor. Register duly kept. School seemingly very well conducted. School opened and closed with prayer—the prescribed forms. System that of the Normal School, as far as it is at present practicable.

Upper Tryon, Lot 28; William A. Leard, Teacher; First or Lowest Class. Remarks—Found this School-house closed. Afterwards ascertained that the teacher had gone from home on private business. The school-house, outwardly considered, is a good, well finished, and respectable looking building.

Tryon East, Lot 26; Robert Leard, Teacher; First or Lowest Class. Remarks—On entering the school-house about 1 o'clock, p. m., found a few of the scholars in it. The master had left to go and dine. Examined the manuscript books that were laid before me by an intelligent young man, (a pupil) of the name of Crawford. Copy-books very creditable; style of writing very good. Dictation and Exercise books well and correctly written. Book-keeping books properly kept, well and correctly written. The school-house sufficient: well finished inside and outside, but the plastering requires some little repairs. Stove much too small, and piping insufficient and imperfect. Desks pretty well, but the benches quite the reverse. Left a notice to the Trustees to the above and following effect: "The Trustees are respectfully requested to have these defects remedied as speedily as possible, and when done, to cause the same to be certified to the Board of Education, to prevent the School's being closed." The Teacher has no desk; he ought to be provided with a suitable one. From what I saw of the pupils and their books, I may, I think, safely say that the School is in a very creditable and satisfactory state.

Augustine Cove, Lot 28; Henry Wadman, Teacher; First or Lowest Class. Register, 52—Boys 39, Girls 13; present to-day, 20—Boys 17, Girls 3; average daily attendance, current quarter, first of current half-year, 23; previous quarter, 25. Reading, 52—5 classes. Writing, 38; copy-books

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clean—style of writing good. Arithmetic, 26; highest, Vulgar Fractions and Mensuration Grammar, 8; Etymology. Geography, 26; Geographical Primer. Dictation, 15; twice a week. Book-keeping, 4; books clean, fairly and correctly written. Scripture lesson (New Testament) every day, but no prayers. Remarks—Tuesday, 14th Dec. 1858. Inspected this School this day. Strong evidences of order, method, regularity, and successful teaching. The school-house is old, and too small, but well lined and comfortable. A new one has been contracted for, 26 feet by 21 feet, to be finished by 1st November, 1859. The desks and benches of the present school-house may answer for the time during which it is likely to be used for the purposes of a School; but I hope due care will be taken to have the new one fully and conveniently furnished in every respect.

South Shore, Bedeque, Lot 27; Bethia Price, Teacher; female. Register, 25—Boys 12, Girls 13; average daily attendance, current quarter, to date of visit, 14 12-46; previous quarter, 17. Reading, 25—3 classes. Writing, 20; very well, style good; teacher's style superior. Arithmetic, 18; highest in Simple Proportion. Grammar, 1; Etymology. Geography, 18; Geographical Primer. Dictation, 1; once or twice a week. Book-keeping, 1; manuscript not in school. Scripture lesson every day, but no prayers. Remarks—Wednesday, 15th Dec. 1858. Inspected this School this day. The current quarter is the last of the teacher's engagement. It commenced 3d Oct. 1858, and will terminate 15th Jan. 1859. Register duly kept. The number of children between the ages of 5 years and 16 years in the Settlement not being, perhaps, more than 30, as the teacher informed me, the people are not intending to have the School kept open after the termination of the present teacher's current engagement; and, therefore, they have declined to finish or make the school-house as comfortable as it ought to be, or suitably to furnish it. In its present state, it is certainly not fit for teaching in at this season of the year. No Record or Trustees' Book has been kept. The School appears to have been well, and upon the whole, successfully conducted; but it is not probable, judging from its present and past state, as respects attendance of pupils, that the average daily attendance, for the current half-year, will, at its close, be found to have been such as to entitle the teacher to her full half-year's salary. The teacher is aware of this. I told her that should it prove so, and no blame be in any way attributable to her, the Board of Education would, I thought, be found willing to state that they considered her entitled to such a portion of her half-year's salary as should bear a just proportion to the real average daily attendance of pupils for the six months.

Sea Cow Head; Mary Ann Anderson, Teacher; female. Register, 30—Boys 18, Girls 12; average daily attendance, current quarter, 20 26-41. Reading, 30—4 classes. Writing, 21; specimens fair, style good; teacher's style of writing superior. Arithmetic, 14; highest, Cube Root. Grammar, 7; Syntax and parsing. Geography, 12; Stewart's Geography. Dictation, 6; once a week. Scripture lesson (New Testament) daily, but no prayers. Remarks—Wednesday, 15th Dec. 1858. Inspected this School this day. Register duly kept. Evidences of order, method, regularity, docility, and attention, on the part of the pupils; all highly creditable to the teacher, as being, doubtless, chiefly attributable to the judicious nature of the discipline, exercised by her in the government

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of the School. The following notice to the Trustees I endorsed upon the Register: "No Trustees' Book. One must be got, and the necessary records be made therein. School-house comfortable, but not, by any means, as well finished, or as conveniently and suitably desksed as it ought to be. The Trustees will please to remedy these defects as speedily as possible."

Canoe Cove; Joseph Ince, Teacher; First or Lowest Class. Register, 31; average daily attendance, from 20th Nov. to 18th Dec., 18 5-22. Reading, 31—6 classes. Writing, 8. Arithmetic, 8. Grammar, 2. Remarks—Friday, 17th December, 1858. Arrived at this school-house, as I thought, a few minutes before 3 o'clock, p. m., for the purpose of inspecting the school, but found it closed. Afterwards, met the teacher, Mr. Ince, at the house of Mr. William McKinnon, with whom he boards. He left for Charlottetown very early in the morning, but left a statement, signed by himself and one of the Trustees, from which I have taken the statistics here set down. The following is copied from the memorandum left by Mr. Ince. "Seats and desks too high: rather inconvenient for pupils. New books wanted very much. Mr. Irving,—Sir; This is as true an account as I am able to render, and I hope you shall soon visit the School, that the list of books may be got without delay.

Joseph Ince, Teacher,
William McKinnon, Trustee."

Argyle Shore, Lot 30; Malcolm McKenzie, Teacher; First or Lowest Class. Register, 44—Boys 32, Girls 12; present to-day, 23—Boys 18, Girls 5; average daily attendance, current quarter, 22, last quarter of teacher's engagement. Reading, 36—7 classes. Writing, 16; copy-books clean, writing very fair. Arithmetic, 12; highest in Mensuration; the manuscript books of Arithmetic are clean and creditable. Grammar, 6; Syntax and parsing. Geography, 10; twice a week; Geographical Primer. Dictation, 7; once a week. Book-keeping, 1. Scripture lesson daily. Remarks—Saturday, 18th Dec. 1858. Inspected this School this day. School-house—good frame, and well finished outside, but it is neither finished inside, nor properly furnished. To make it sufficient, it must be well ceiled, and the walls inside must be boarded or plastered. The place of the stove must be changed, and additional piping be procured. The desks and benches are too high and very inconvenient. They must be altered and made more suitable. To remedy the defects pointed out, six weeks will be allowed. The Register has been duly kept, and the School seems to be well taught and governed.

Nine Mile Creek, Lot 65; Archibald McNeill, Teacher; First or Lowest Class. Register, 45—Boys 31, Girls 11; present to-day, 24—Boys 22, Girls 2; average daily attendance, current quarter, (commenced 11th Nov.) 21 up to this date. Reading, 45. Writing, 32; copy-books clean; writing very fair. Arithmetic, 27; highest, Compound Interest; manuscript books very creditable. Grammar, 5—Lennie and Reed. Geography, 8—Geographical Primer. Dictation, 10; once a week; exercises very good. Other branches:—Practical Geometry, &c.; 1 pupil in heights and distances; Scripture lessons daily, last in the evening; no prayers. Remarks—Wednesday, 22nd Dec. 1858. Inspected this School this day. It is evidently well conducted, and in a progressive state. The Register is duly kept. The pupils are respectable in appearance, and, seemingly,

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very orderly. The school-house may, perhaps, be accounted "sufficient," but it ought to be boarded or plastered inside, and ceiled. The desks and benches are very inconvenient, and ought to be altered and improved. Recommended the having of these defects remedied through the exertions of the Trustees.

Webster's Creek, Lot 65; James McNeill, Teacher; Second or Highest Class. Register, 34—Boys 19, Girls 15; present to-day, 20—Boys 12, Girls 8; average daily attendance, 20 6-3^d, (1st quarter of 2d half-year) from 8th Nov. to 22d Dec. Reading, 34—5 classes. Writing, 27; good. Arithmetic, 15—3 classes; expert and correct. Grammar, 10; Lennie. Geography, 12; Stewart's and Chambers'. Dictation, 13; three times a week. Book-keeping, 3; books very creditable. Measurement, 2. Scripture lesson daily. Remarks—Wednesday, 22d December, 1858. Examined this School this day. Register duly kept. The state of the School is highly satisfactory. Considerable progress has been made by the pupils in Grammar, Geography, and Arithmetic. This School is opened and closed with prayer—the prescribed forms. The pupils are clean, of respectable appearance and well behaved. The school furniture is strong, very substantial, but clumsy and inconvenient. It ought to be altered and improved.

Long Creek, Lot 65; Donald Currie, Teacher; Second or Highest Class. Register, 36—Boys 17, Girls 19; present to-day, 30; average daily attendance, 25 for the time past of the third quarter. Reading, 36—4 classes. Writing, 26—Boys 12, Girls 14. Arithmetic, 21—3 classes; first as far as Vulgar Fractions. Grammar, 18—2 classes. Geography, 18—2 classes. Dictation, 14. Algebra, 2. Geometry, 4. English History, 14. Remarks—Thursday, 23d December, 1858. Inspected this School this day. The examination, which was a searching one, was very satisfactory and truly creditable to the teacher and to his pupils. This School is one of the best—if not the very best—and most successfully conducted of all the rural District Schools that I have hitherto visited. The teacher, Mr. Currie, is not only particularly well qualified by his educational acquirements, but also peculiarly so by his natural endowments, to become (should he continue in the profession) an eminently successful teacher of youth. At the instance, and under the guidance of the teacher, a School Library has been formed in this School. The books which have already been purchased for it are select and suitable. The undertaking meets with due encouragement from the parents of the pupils. It is an example which should be imitated in every other School District in the Island.

St. Catherine's, Lot 65; Isabella McMillan, Teacher, female. Register, 42—Boys 23, Girls 19; present to-day, 16—Boys 10, Girls 6; average daily attendance, current quarter, 22; (commenced 20th Dec.). Reading, 42—5 classes; reading, spelling, and explanations very fair. Writing, 17; very carefully and successfully taught, style very good, and books clean. Arithmetic, 13; highest, Decimal Fractions: the pupils whom I examined in Arithmetic made their calculations readily and correctly. Grammar, 5; (beginners) Etymology. Geography, 12; Geographical Primer: fair knowledge of outlines. Scripture lesson daily. Remarks—Thursday, 23d December, 1858. Examined this School this day. Register duly kept. The School is evidently very well conducted. It is opened and closed with prayer—the prescribed forms. School-house a good log one, but not fin-

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ished, either inside or outside. It is of proper dimensions, but insufficiently and very inconveniently desked and benched. Notified the Trustees that the School-house must be finished as soon as possible: that the floor, which is very loose, must be firmly laid down: and that the desks and benches must be altered and improved without any unnecessary delay: and, further, that when the required alterations shall have been made, the Trustees must cause the same to be certified to the Board of Education.

West River, Lot 32; Henry Vickerson, Teacher; Second or Highest Class. Register, 33—Boys 19, Girls 14; present to-day, 19—Boys 10, Girls 9; average daily attendance, current quarter, 18½; previous quarter, 19½. Reading, 33—6 classes; fair reading, excellent analysis, correct spelling, good explanations. Writing, 20; very fair. Arithmetic, 19; highest through Grey, or nearly; ready and correct. Grammar, 9 in Rules of Syntax; 6 beginners; Etymology: parsing very good. Geography, 23; Geographical Primer and Stewart's Geography. Dictation, 16; once a week. Scripture Lesson (simple reading) twice a week. Prayer omitted by request of the Trustees. Remarks—Friday, 24th December, 1858. Examined this School this day. Register duly kept. The School is, in all respects, in a highly satisfactory state. Pupils personally clean, comfortable, and respectable; and, seemingly, very well behaved. The teacher, Mr. Vickerson, is, I am persuaded, a young man of superior ability and attainments. Notified the Trustees that the School-room should be supplied with convenient pins or pegs for the pupils to hang up their caps, &c., upon.

Lower Montague, Lot 59; Peter Ross, Teacher; First or Lowest Class. Register, 41—Boys 21, Girls 20; present to-day, 17—Boys 9, Girls 8; average daily attendance, current quarter, 18; previous quarter, 28, nearly; on half-year, 22½. Reading, 41—5 classes. Writing, 31; clean; some specimens very fair. Arithmetic, 30—3 classes: 3 or 4 through Grey; 1 manuscript book clean and correctly kept. Grammar, 19—2 classes; 1st several times through Lennie; parsing, three times a week; pretty well taught. Geography, 24; 3 times a week; Geographical Primer; very fair. Dictation, 8; twice a week. Other branches—Latin Rudiments, 3; Practical Geometry, 2. Remarks—Friday, 14th Jan. 1859. Visited this School this day, two of the Trustees, Mr. Allan McDonald and Mr. Cameron, being present. School-house sufficient in all respects. Good stove, but piping deficient, both in size and quantity. Furniture, 1 double desk, good; the other, a single long desk—very inconvenient. All the benches are clumsy and inconvenient. The Register seems to have been duly kept, so also has a Trustees' or Record Book; and the Rules and Regulations of the Board of Education have also been duly observed. A Scripture lesson is given daily—the last lesson of the day; and the School is opened and closed with prayer.

Albion, Lot 59; Alex. McLeod, Teacher; First or Lowest Class. Register, current quarter, 30—Boys 18, Girls 12; previous quarter, 34; average daily attendance, current quarter, 14; Teacher says on the previous quarter it was 20. Reading, 30—5 classes. Writing, 9—6 on paper, 3 on slates,—specimens very poor. Arithmetic, 13—3 classes; highest, Mensuration in Grey; next, Proportion and Practice; no manuscript books. Grammar, 4; Syntax; parsing daily. Geography, 4; Geographical Primer, daily. Dictation, 4; once a week. Remarks—Friday, 14th Jan. 1859.

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Visited this School this day. Number present to-day, 7—5 boys and 2 girls. School-house of proper dimensions, but not finished: it ought to be lathed and plastered, or lined with boards inside: and it is not properly ceiled. It is also very poorly furnished. The Register seems to have been duly kept, but no Trustees' or Record Book is kept. The School, a mixed one, is opened and closed with prayer—the prescribed forms. Scripture lesson daily. Scripture Catechisms, both Catholic and Protestant, are also heard. The current quarter is the third of the teacher's engagement.

Georgetown Grammar School; Roderick Munro, Teacher; Second or Highest Class. Register, 37—Boys 33, Girls 4; present to-day, 19—Boys 16, Girls 3; average daily attendance, 26 4-7. Reading, 37—4 classes; 1, History of England. Writing, 27; not so good as it ought to be. Arithmetic, 29—3 classes; highest in Miscellaneous Questions; no manuscript books. Grammar, 17; 12 through Rules of Syntax; Syntax and parsing alternate days. Geography, 18—2 classes; Primer and Morse's Atlas. Dictation, 16; generally twice a week. Other branches—Latin Grammar and Delectus, 3, every morning; Euclid, first book, 1; Algebra, 4; Navigation, 2. Bible Class every morning. Remarks—The desks and benches more convenient than in most of the Schools which I have hitherto visited; but a re-arrangement of them according to the views of the teacher, with respect to order and convenience—which views are in accordance with my own—would greatly facilitate the good government of the School, and increase its apparent respectability.

De Gros Marsh, Lot 71; John S. McDonald, Teacher, (a Normal School Student); First or Lowest Class. Register, 39—Boys 22, Girls 17; present to-day, 11—Boys 10, Girls 1; average daily attendance, current quarter, 22 6-11; previous quarter, 24. Reading, 39—6 classes. Writing, 22; fair. Arithmetic, 20—3 classes; highest, Alligation; 2 manuscript Books: one very creditably kept. Grammar, 17—1 class: through Lennie; parsing daily. Geography, 22; Primer, every afternoon. Remarks—Monday, 17th Jan. 1859. Visited this School this day. The Register is duly kept; but there is no Trustees' or Record Book. Left a notice to the Trustees to the effect that the law requires that a Trustees' or Record Book shall be kept; and that it shall always be allowed to remain in the School-house. The Scriptures are not read in the School, and it is neither opened nor closed with prayer. A Sunday School is regularly kept in the school-house. School-house a good and respectable looking building, well finished, both inside and outside; but the desks, though good, are inconveniently high and ought to be altered.

Launching, Lot 55; Donald Robertson, Teacher; First or Lowest Class. Register, 42—Boys 26, Girls 16; present to-day, 28—Boys 22, Girls 6; average daily attendance, current quarter, 27; previous quarter, 20. Reading, 55—5 classes. Writing, 20; some specimens very fair. Arithmetic, 20—3 classes; highest through Grey; no manuscript books. Grammar, 7; Rules of Syntax; parsing daily. Geography, 8; Geographical Primer; daily. Other branches, 2; Mensuration of Superficies; manuscript books very creditable. Remarks—Monday, 17th January, 1859. Visited this School this day. Register duly kept, and the Rules and Regulations of the Board of Education also duly observed. The Scriptures are not read in the School, but it is opened and

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closed with prayer—the prescribed forms. The School-house is of the proper dimensions, well finished outside, but unfinished inside, being unceiled, and the walls neither plastered nor boarded. The desks and benches are of rather rude construction, and are awkwardly and inconveniently high.

Grand River, South side, Lot 55; Ronald McCormack, Teacher; First or Lowest Class. Register, 36—Boys 20, Girls 16; present to-day, 23—Boys 14, Girls 9; average daily attendance, current quarter, 21 41-51; previous quarter, 22. Reading, 36—6 classes. Writing, 24; some fair specimens, style good. Arithmetic 22—3 classes; highest through Grey; 5 manuscript books pretty fair. Grammar, 8; Rules of Syntax; parsing daily. Geography, 8; Geographical Primer; 3 times a week. Dictation; 6, generally twice a week. Book-keeping, 4; books tolerably well kept. Scriptures not read; no prayers. Catechisms every Saturday. Remarks—Monday, 17th Jan. 1859. Visited this School this day. Register and Trustees' Book duly kept. There is not, however, as there ought to be, a copy of the Revised and Amended Education Act in the School-house; but the Rules and Regulations of the Board of Education, otherwise, are duly complied with. School-house old and insufficient; but a new one of proper dimensions is being erected, and the Trustees expect it will be finished before the commencement of the summer.

Georgetown; Harriet McKeown, Teacher; female. Register, 24—Boys 8, Girls 16; average daily attendance, current quarter, 16 21-61; previous quarter, 28, nearly. Reading, 24—5 classes. Writing, 11; very fair. Arithmetic, 11—3 classes; one through Grey, next highest in Mensuration. Grammar, 5; Rules of Syntax; parsing 3 times a week. Geography, 7; Geographical Primer and Morse's Atlas. Dictation, 9; twice a week. Remarks—Monday, 17th Jan. 1859. Visited this School this day. The Register is duly kept. The School is opened and closed with prayer—the prescribed forms, but the Scriptures are not read. The School-room is small but comfortable, and pretty conveniently furnished: for the small number of children at present comprising the School, it may, perhaps, be accounted sufficient.

Upper Montague, Lot 29; Samuel Mutch, Teacher; First or Lowest Class. Register, 41—Boys 19, Girls 22; present to-day, 28—Boys 13, Girls 15; average daily attendance, current quarter, 23. Reading, 41—5 classes. Writing, 19; very fair. Arithmetic, 18; highest, Mensuration; no manuscript books. Grammar, 13; Rules of Syntax—parsing 3 times a week. Geography, 8; Geographical Primer, 3 times a week. Dictation, 10; generally 3 times a week. Remarks—Tuesday, 11th Jan. 1859. Visited this School this day. Register duly kept, and the Rules and Regulations of the Board of Education also duly observed. No prayers and no Scripture lessons. The School evidently very well conducted. Good, comfortable School-house of the requisite dimensions, and pretty well furnished, although the desks and benches are not quite as convenient as they ought to be, and might easily be made. The scholars are comfortable and respectable in appearance, seemingly well behaved and studious, well trained and well taught.

Whim Road; Donald Bethune, Teacher; First or Lowest Class. Register, 25—Boys 15, Girls 10; present to-day, 6—Boys 4, Girls 2. Remarks—Tuesday, 18th Jan. 1859. Visited this School this day. The School-house has been a little improved since I visited it in October, when I found

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it insufficient, and, in consequence of which, it was soon after closed by the Board of Education. It is, however, still very far from being finished; and the reason assigned for this, is that the person who contracted to finish it failed to perform his contract.

Peter's Road; Catherine Sencabaugh, Teacher. Register, 44—Boys 23, Girls 21; present to-day, 25—Boys 13, Girls 12; average daily attendance, current quarter, to this date, 15, nearly. Reading, 44—5 classes. Writing, 18; fair and clean. Arithmetic, 13; highest in Compound Division. Grammar, 2; Etymology. Geography, 1; Geographical Primer. Dictation, 7; three times a week. Scripture lessons every morning. Remarks—Monday, 19th Jan. 1859. Visited this School this day. Register duly kept. There is, however, no Trustees' or Record Book, although in every other respect the Rules and Regulations of the Board of Education are duly complied with. The School is opened and closed with prayer—the prescribed forms. In personal appearance, the children are comfortable and respectable; they are well-behaved; and the School seems to be well and successfully conducted. The teacher, however, complains of a want of school-books, particularly of copies of Chambers' Geographical Primer, which, she says, greatly retards the progress of her pupils. In this School there is one Micmac Indian, a boy of 14 years of age: he is comfortably clothed, healthy, cheerful, and tolerably intelligent. He appears to be quite at home among his school-fellows, and seems to be treated by them as a brother. He is beginning to read with a good deal of ease and correctness, and writes large-hand very fairly.

Sturgeon Bay, Lot 61; John F. Morrison, Teacher; Second or Highest Class. Register, 40—Boys 23, Girls 17; present to-day, 17—Boys 10, Girls 7; average daily attendance, current quarter, 7 weeks, 20 3-30. Reading, 40—5 classes. Writing, 18. Arithmetic, 10; highest, Profit and Loss; no MS. books. Grammar, 5; Rules of Syntax; parsing daily. Remarks—Wednesday, 19th Jan. 1859. Visited this School this day. The Register has been duly kept, and the Rules and Regulations of the Board of Education have also been duly observed, except that no Trustees or Record Book is kept. The School is evidently well and successfully conducted. School-house sufficient, good, and comfortable. It is also very well and conveniently furnished. The children are well-behaved, of respectable appearance, and seemingly very studious. No prayers and no Scripture lessons; but Scripture Catechisms, both Catholic and Protestant, are heard by the teacher every Monday.

Gaspereaux, Lot 61; Donald Walker, Teacher, First or Lowest Class. Register, 35—Boys 15, Girls 20; average daily attendance, current quarter, 20 22-45. Reading, 35—4 classes. Writing, 17; clean and fair, some specimens good. Arithmetic, 11; highest, Discount and Vulgar Fractions. Grammar, 6; Etymology. Geography, 5; Geographical Primer. Dictation occasionally. Remarks—Wednesday, 19th Jan. 1859. Visited this School this day. The Register has not been as carefully kept as it ought to have been; in fact it has not been fully filled in; and neither has it been duly added up. No prayers and no Scripture lessons. The children are respectable and comfortable in appearance, and certainly very well behaved. The school, upon the whole, seems to be well and successfully conducted. The school-house is sufficient and very comfortable. The furniture however is not sufficient, for the desks are clumsy and inconvenient, and the benches are not what they ought to be. By a written notice I called on the trustees to remedy these defects in the school furniture.

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Brown's Creek, Archibald McDonald, Teacher; First or Lowest Class. Register, 47---Boys 39, Girls 8: present to-day, 34—Boys 28, Girls 6. Average daily attendance, current quarter, 27 16-25, to this date; Reading 47—4 classes; Writing 34; Arithmetic, 18—3 classes, highest through Gray: no M. S. books; Grammar, 2—Rules of Syntax—parsing daily. Geography, 13---Geographical Primer and Maps. Book-keeping, 1---books pretty well kept. Remarks---Tuesday, 18th January, 1859. Visited this School this day. Register duly kept, and the rules and regulations of the Board of Education also duly observed. School is opened and closed with prayer the prescribed forms. A chapter of the Holy Scriptures is read, without note or comment, every day in school, by the teacher: Old Testament and New Testament alternately. School-house sufficient in area, well finished inside and comfortable, but inconveniently desked and rather dark. Left a notice to the Trustees, requesting them to have these defects remedied.

Douse's Road; John Bethune, Teacher; First or Lowest Class. Average daily attendance, current quarter, 39 to this date. Remarks—Tuesday, 18th January, 1859. Visited this School this day. Found it open, but no one in it. Just as I was on the point of leaving it, one of the Trustees entered it and told me the teacher was gone to Georgetown. The school-house is old, small, and very insufficiently furnished: indeed, the one small awkward double desk, and the four miserable benches (all that it contains) cannot properly be called school-furniture. The school-house has indeed been well boarded inside, but it is not ceiled, and the roof is insufficient. Left the following notice to the Trustees:—"The Trustees will please to take notice that, in the present wretched state of the school-house, the school is liable to be closed forthwith." Saturday, 29th Jan. 1859. The following is an extract from a letter of the Trustees of the said school, dated 24th inst., and addressed to me, with respect to the said School:—

"Sir,—We have much pleasure in being able to state that, at a meeting held at the school-house, 20th inst., we have decided upon erecting a new school-house, and tenders to complete it in December next are now taken in. Considering the great loss it would be to a District in which there are so many scholars, to close the school, you will please grant us the use of the old school-house until the time above specified, when we will have as good a school-house as any neighbouring District, and the favor will be gratefully acknowledged.

(Signed)

ALEX. BRUCE, JOHN ROSS, NORMAN McLEOD, ALEX. McLEOD.	}	Trustees of the Douse Road School."
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Murray Harbor, North Side, Lot 68; Alex. Robertson, Teacher; First or Lowest Class. Register, 39 —Boys 21, Girls 18; present to-day, 24—Boys 15, Girls 9; average daily attendance, current quarter, 18 26-58, to this date. Reading, 39—5 classes. Writing, 20; very fair, well taught. Arithmetic, 23—2 classes; highest in Practice; no manuscript books. Grammar, 9; Rules of Syntax, parsing daily. Geography, 10; Geographical Primer, daily. Remarks—Thursday, 20th Jan. 1859. Register duly kept. The Rules and Regulations of the Board of Education have also been duly observed. The School is opened and closed with prayer—the prescribed forms—and a Scripture

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lesson is read every morning. The school-house, although an old one, is sufficient and very comfortable. The scholars are respectable in appearance and exceedingly well behaved. The evidences of order, method, and regularity which are observable in the School, incline me to believe that it is very well and successfully conducted.

Murray Harbor, South Side, Lot 64; Francis Anderson, Teacher; First or Lowest Class. Register, 38—Boys 23, Girls 15; present to-day, 21—Boys 12, Girls 9; average daily attendance, current quarter, 21 11-31 to this date. Reading, 38—3 classes. Writing, 24; fair. Arithmetic, 24—3 classes; highest in Vulgar Fractions; a few manuscript books pretty fairly kept. Grammar, 5; Rules of Syntax, three times a week. Geography, 8; Geographical Primer; almost daily. Dictation, 12; twice a week. New Testament lesson daily by one class. Remarks—Thursday, 20th January, 1859. Visited this School this day. The Register has been duly marked, but no Trustees or Record Book is kept. The appearance of the pupils is very pleasant; they are well clad, and, seemingly, very well behaved, docile and studious. Judging by appearances, I may venture to say the School is, upon the whole, very well conducted. Notified the Trustees that they must procure a book to be used as a Trustees' or Record Book, and to be kept always in the School-house.

Little Sands, Lot 64; Angus Blue, Teacher; First or Lowest Class. Register, 36—Boys 20, Girls 16; present to-day, 28—Boys 16, Girls 12; average daily attendance, current quarter, 28 11-17 to this date. Reading, 36—5 classes; fair in the Fifth Book, spelling and explanations also fair. Writing, 23; very fair; some specimens very good. Arithmetic, 16—3 classes; highest in Profit and Loss; no manuscript books. Grammar, 11; Rules of Syntax; parsing daily. Geography, 14; Geographical Primer; fair in outlines. Dictation, 10; three times a week. A Scripture lesson every day, without note or comment; school opened and closed with prayer. Remarks—Friday, 21st Jan. 1859. Visited this School this day. Register duly kept, and the rules and regulations of the Board of Education also duly observed. Children well-behaved, apparently docile and well trained. No Trustees' or Record Book is kept. Notified the Trustees to keep one in future. The School-house is sufficient in area and comfortable, but very inconveniently furnished, the desks being much too high, and the benches clumsy and unsuitable. The room is very badly lighted; there should be at the least, two additional windows in it. By notice to the Trustees, requested them to have these defects remedied as speedily as possible.

High Bank, Lot 64; Norman McKenzie, Teacher; First or Lowest class. Register, 42—Boys 22, Girls 20; average daily attendance, 23 21-43 up to this date. Reading, 42—4 classes. Writing, 27; style very good. Arithmetic 23—3 classes; highest, Practice; no MS. books. Grammar, 8; Rules of Syntax; parsing daily. Geography, 6; Geographical Primer; daily. Dictation, 6; daily. Scripture lesson, without note or comment, every morning. Remarks—Friday, 21st Jan. 1859. Visited this School this day. Trustees present—Mr. Angus Cameron and Mr. W. McKay. Register duly kept, and Rules and Regulations of the Board of Education also duly observed. School-house sufficient, comfortable, and pretty well and conveniently furnished; pupils well-behaved, apparently docile and well trained.

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White sands, Lot 64; Daniel Robin, Teacher; First or Lowest Class. Register, 33—Boys 21, Girls 12; present to-day, 29—Boys 19, Girls 10; average daily attendance, 22. Reading, 33—5 classes. Writing, 28; very fair. Arithmetic, 26—3 classes; highest, Miscellaneous Questions in Grey; mental calculations frequently. Grammar, 5—1 class; Rules of Syntax; parsing daily. Geography, 7—1 class; Geographical Primer; 3 times a week. Dictation, 16; every Friday. Book-keeping, 2. Scripture lesson (first) daily. School opened and closed with prayer; prescribed forms. Remarks—Friday, 21st January, 1859. Visited this School this day. Register duly kept, and rules and regulations of the Board of Education also duly observed. In appearance, the scholars are comfortable and respectable, and order, method, and regularity appear to prevail in the government of the school.

Guernsey Cove, Lot 64; James Brehaut, Teacher; Second or Highest Class. Register, 33—Boys 21; Girls 12; present to-day, 25—Boys 17, Girls 8; average daily attendance, current quarter, 20 to this date. Reading, 33—5 classes. Writing, 30; style free and good. Arithmetic, 26—3 classes; highest in Vulgar Fractions; one manuscript book pretty well kept. Grammar, 7; one class in Etymology—a little parsing. Geography, 8; three times a week. Dictation, 12; once a week. Scripture lesson daily. School opened and closed with prayer—prescribed forms. Remarks—Friday, 21st Jan. 1859. Visited this School this day. The Register has been duly kept, and the Rules and Regulations of the Board of Education have also been duly observed. The appearance and demeanour of the scholars are highly pleasing, and afford evidence of their being the objects of good training and salutary discipline; they indeed seem to be very docile and studious. The school-house is spacious, well finished, and comfortable. It is also, upon the whole, well and suitably furnished, although as respects 2 desks and benches, alteration and improvement are much needed.

Toronto, Lot 64; John Brooks, Teacher; First or Lowest Class. Register, 42; average daily attendance, current quarter, 19, to this date. Reading, 42—3 classes. Writing, 25. Arithmetic, 25—3 classes, highest in Reduction. Remarks—Saturday, 22nd January, 1859. Visited this School-house this day. The morning had been very wet, and the day throughout was very disagreeable. The consequence of this state of the weather was that none of the scholars had attended School. The School-house—a new erection—is not in such a state, as respects either the building or the furniture, as would warrant its being allowed to remain open, were it not that the people of the District are actually using their best endeavours to have it completed and made sufficient. I have had a fairer opportunity to judge of the merits of Mr. Brooks, as an educator of youth, than I have, as yet, generally had with respect to the Rural District Teachers whose schools I have visited; and it is no more than simple justice to him to observe, in this record, that I am convinced that he is eminently qualified to discharge all the important and onerous duties of a District Teacher of the class to which he belongs. He fully comprehends the nature and responsibilities of the obligations which, as a District Teacher, it is incumbent upon him to discharge; and as I have had opportunities to observe that order, method, and regularity are manifested in every thing over which he has control, I have no hesitation in positively saying that his services, as a

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teacher, in such a District as that in which he labours, cannot easily be too highly appreciated. I am the more particular in doing justice to Mr. Brooks in this record, than I would perhaps otherwise be, because I observe that the School is not as well attended as it ought to be; and I especially desire to call the attention of the Trustees to the fact that if they fail to exert themselves successfully in procuring a larger daily attendance of pupils, the result will, in all probability, be not only highly detrimental to their own interests, as parents, and to those of other parents in the District generally, but bear with peculiar hardship and injustice upon their worthy teacher, Mr. Brooks; for, should not the average daily attendance of pupils upon the half-year amount to twenty, it would be the disagreeable duty of the Board of Education, in compliance with the spirit and letter of the law, to close the School and to refuse, to Mr. Brooks, the certificate necessary to enable him to draw his salary for that time from the Treasury.

Georgetown Royalty; Archibald McKinnon, Teacher; First or Lowest Class. Register, 47—Boys 22, Girls 25. Reading, 47—4 classes. Writing, 17. Arithmetic, 15; highest through Grey; next in Interest; no MS. books. Grammar, 7; Syntax; parsing, 3 times a week. Geography, 8; Geographical Primer, twice a week. Dictation, 8; daily. Book-keeping, 1. Remarks—Tuesday, 25th Jan. 1859. Visited this School this day. The Register has been duly marked; but no Trustees' or Record Book is kept. The School-house may, perhaps, be accounted sufficient, but it is very badly, insufficiently, furnished. No Scripture lessons and no prayers.

Roseneath; Angus McWilliams, Teacher, (Normal School Student); First or Lowest class. Register, 40—Boys 25, Girls 15; present to-day, 14—Boys 8, Girls 6; average daily attendance, current quarter, 18 to this date. Reading, 40—5 classes. Writing, 18. Arithmetic, 17; highest, Mensuration in Grey. Grammar, 9; 4 in Syntax; parsing daily. Geography, 7; Geographical Primer; three times a week. Dictation, 3; three times a week. Remarks—Tuesday, 20th January, 1859. Visited this School this day. The Register is duly kept. No prayers and no Scripture lessons. Trustees' Book not in the School-house. The School-house is greatly out of repair, and it is very badly furnished. Left a notice to the Trustees, requiring them to have the needful repairs effected upon the School-house, and also such alterations made in the School furniture and additions thereto, as the comfort and convenience of the teacher and scholars require, as speedily as possible.

New Perth, Lot 51; James Robertson, Teacher; Second or Highest class. Remarks—Tuesday, 25th Jan. 1859. Found this School-house closed, the teacher, as I learned upon the road, having given his scholars a holiday that he might be able to join a party who were to meet in the neighbourhood to do honor to the memory of the Scottish Poet, Robert Burns, on this, his birth-day.

Hemlock Grove; Daniel McLaren, Teacher; First or Lowest Class. Remarks—Found this School-house closed, the teacher having, as I was informed, given his scholars a holiday that he might be able to join a party who were to meet in the neighbourhood to do honor to the memory of the Scottish Poet, Robert Burns, on this, his birth-day.

Cross Road, Lot 48; John Butler, Teacher; Second or Highest Class. Register, 52—Boys 30, Girls 22; present to-day, 42—Boys 24, Girls 18; average daily attendance, current quarter, 34, to this date.

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Reading, 52—5 classes. Writing, 38; style superior, some specimens excellent. Arithmetic, 24—3 classes; highest through Grey; some in Thompson and some in Walkinghame. Grammar, 12; highest through Lennie; parsing generally every afternoon. Geography, 26; Geographical Primer and Stewart, 3 times a week. Dictation, 8; 3 or 4 times a week. Book-keeping, 1. Other branches, 1; Algebra. Remarks—Monday, 31st Jan., 1859. Visited this School this day. The Register has been duly kept, and the Rules and Regulations of the Board of Education have also been duly observed. No prayers, but a Scripture lesson has been read daily until within a month back. This lesson has been discontinued, because the class receiving it was broken up at Christmas; but it will be resumed when most of those who composed the class shall have returned to School. The scholars appear to be well-behaved, orderly, and studious; and the impression made upon my mind by my general observation of the School is, that its character is such as fully justifies the high estimation in which Mr. Butler has, for many years, been held as a teacher of youth. The School-house is not large enough for the proper accommodation of as many Scholars as generally compose the School. It is too low and unfinished inside: and the furniture is very clumsy and inconvenient. Left a notice to the Trustees, requesting them to use their best endeavours to have these defects fully and speedily remedied.

Baltic, Lot 48; Roderick Munn, Teacher; First or Lowest Class. Register, 29—Boys 15, Girls 14; average daily attendance, current quarter, 17 8-29 to this date. Reading, 29—4 classes. Writing, 25; very fair, some specimens good. Arithmetic, 25—3 classes; highest through Grey; no manuscript books. Grammar, 10; through Rules of Syntax; parsing, 4 or 5 times a week. Geography, 9; Sullivan's Geography; generally 3 times a week. Dictation, 10; once a week. Other branches, 1; Algebra. A Scripture lesson daily, the first in the morning, but no prayers. Remarks—Monday, 31st Jan. 1859. Visited this School this day. The Register has been duly kept, and the Rules and Regulations of the Board of Education have also been duly observed. The School seems to be well conducted. The scholars are apparently orderly, docile, and studious. The School-house is sufficient and comfortable; but the desks and benches are clumsy and inconvenient.

Fullarton's Marsh, Lot 48; Daniel McLean, Teacher; First or Lowest Class. Register, 40—Boys 23, Girls 17; present to-day, 34—Boys 18, Girls 16; average daily attendance, current quarter, 21 28-63. Reading, 40—6 classes. Writing, 27; fair, some specimens good. Arithmetic, 26—3 classes; highest through Grey; 5 manuscript books well kept. Grammar, 11; highest through Lennie; parsing twice a week. Geography, 25; Geographical Primer and Stewart; twice a week. Dictation, 12; once a week. Other branches, 4; Algebra, Simple Equations. New Testament lesson twice or thrice a week. No prayers. Remarks—Monday, 31st Jan. 1859. Visited this School this day. Register duly kept, and rules and regulations of the Board of Education have also been duly observed. Scholars seemingly well-behaved, docile, and attentive to their studies. Appearances indicate a faithful and efficient discharge of duties on the part of the teacher. The School-house is well lined and comfortable, but not large enough for the proper accommodation of only two-thirds of the number of scholars present to-day.

Stratford, Lot 48; Catherine Crawford, Teacher; female. Register, 30—Boys 14, Girls 16; present

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to-day, 10—Boys 6, Girls 4; average daily attendance, current quarter, 16 16-51, to this date. Reading, 30—5 classes. Writing, 12; fair. Arithmetic, 18; highest, Vulgar Fractions; no MS. books. Grammar, 9—Rules of Syntax, 1; Etymology, 8; daily; parsing, once a week. Geography, 9; Cornell's Geography and Maps. Remarks—Tuesday, 1st Feb. 1859. Visited this School this day. Excellent School-house, very well furnished and comfortable; and the School seems to be very well conducted.

Vernon River, Lot 50; Daniel Enman, Teacher; First or Lowest Class. Register, 38—Boys 32, Girls 6. Reading, 38—5 classes. Writing, 48, some specimens very good. Arithmetic, 45—3 classes; no MS. books. Grammar, 19—2 classes; Rules of Syntax; parsing 3 times a week. Geography, 23—2 classes; Geographical Primer and Morse's and Stewart's Geographies, three times a week. Dictation, 26; twice a week. No Scripture lessons, no prayers. Remarks—Thursday, 10th Feb. 1859. Visited this School this day. Register duly kept. Rules and Regulations of the Board of Education duly observed. School-house sufficient and comfortable. Furniture good and convenient. Scholars orderly, well-behaved, and seemingly very studious. The School is evidently conducted with great ability, fidelity, and success.

Orwell, (North); John Currie, Teacher, (Normal School Student); First or Lowest Class. Register, 52—Boys 37, Girls 15; average daily attendance, current quarter, 30½ to this date; present to-day, 34—Boys 26, Girls 8. Reading, 52—5 classes. Writing, 39; some specimens good style, others fair. Arithmetic, 39—3 classes; highest through Grey, and in Irish National Arithmetic; 4 MS. books tolerably well kept. Grammar, 20—2 classes; highest in Syntax; parsing, daily. Geography, 33—2 classes; Geographical Primer, every other day. Dictation, 7; once a week. Book-keeping, 1; books very well kept. No Scripture lessons, no prayers; Remarks—Friday, 11th Feb., 1859. Visited this School this day. Register duly kept. Rules and Regulations of the Board of Education duly complied with. School-house not plastered or boarded inside; otherwise might, perhaps be accounted sufficient as a building. It is, however, much too small for the proper accommodation of the number of scholars generally taught in it. Furniture insufficient and inconvenient. The School is evidently well conducted: the scholars are orderly, well-behaved, and seemingly very attentive to their studies.

Uigg; Donald McDonald, Teacher; Second or Highest Class. Register, 85—Boys 42, Girls 43; present to-day, 60—Boys 36, Girls 24. Reading, 85—5 classes. Writing, 60; generally very good. Arithmetic, 50—3 classes; highest through Gray; no MS. books. Grammar, 30—2 classes; Rules of Syntax; parsing, 3 times a week. Geography, 20; Geographical Primer and Stewart's Geography every other day. Dictation, 25; occasionally. Other branches:—12 Geometry, Trigonometry, no MS. books; 10 Latin Grammar, Delectus and Cæsar, daily lesson; New Testament lesson daily. Remarks—Friday, 11th February, 1859. Visited this School this day. Register properly kept. Rules and Regulations of the Board of Education duly observed. School-house excellent, the best, in fact, which I have as yet visited. Furniture good and convenient. School opened and closed with prayer. The School is evidently well conducted by the teacher, Mr. McDonald; and the order, method, and propriety observable in all connected with the government of it, affords the most

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satisfactory evidence of his great ability and fidelity in his professional capacity. In my opinion, Mr. McDonald ought to be allowed an Assistant.

Murray Harbour Road; Kenneth McKenzie, Teacher; First or Lowest Class. Register, 68—Boys 49, Girls 19; average daily attendance, current quarter, to this date, 48 9-11. Reading, 68—5 classes. Writing, 51; very fair. Arithmetic, 40—3 classes; highest through Gray. Grammar, 9; Syntax; parsing, daily. Geography, 18; Geographical Primer and maps, every other day. Dictation, 12; occasionally. Other branches—3 Latin Grammar, 3 Algebra; New Testament lesson daily. Remarks—Friday, 11th February, 1859. Visited this School this day. Register regularly kept. Rules and Regulations of the Board of Education duly observed. School opened and closed with prayer. The School had been dismissed for the day, about 10 minutes before I arrived at the School-house, and it appeared that the clock kept in the school-house was just about so much faster than my watch.

Pisquid Road; Michael Curran, Teacher, (Normal School Student); First or Lowest class. Register, 43—Boys 21, Girls 22. Reading, 43—4 classes. Writing, 15; very fair, some specimens very good. Arithmetic, 20—3 classes; highest, Discount and Cube Root. Grammar, 12; Etymology—second time; parsing daily. Geography, 12; Geographical Primer, daily. No Scripture lessons. Remarks—Saturday, 12th Feb. 1859. Visited this School this day. Register regularly kept. Rules and Regulations of the Board of Education duly observed. School-house—one of the old ones—log building, unlined, but ceiled and very comfortable. Furniture tolerably convenient, but it ought to be improved. A suitable desk is required for the Teacher. Notified the Trustees, requiring them to remedy these defects. Scholars of very orderly demeanour and respectable appearance: seemingly well trained, docile, and attentive to their studies. For the sufficiency of the school-house and suitableness of the school furniture, and also for the good government and prosperous state of the School, I believe I am fully warranted by facts in stating that the inhabitants of the District are much indebted to the truly wise, enlightened, and long approved liberality in the cause of Education, of Malcolm Forbes, of Mount Pleasant, Esquire.

Pownal, or Central; John McDonald, Teacher; First or Lowest Class. Remarks—Found this School closed. On enquiry in the neighbourhood, was informed that the teacher's engagement had expired some time in January last, and that the people of the District were not disposed to re-engage him.

Mount Mellick, Lot 49; Alexander McNeill, Teacher; First or Lowest Class. On the Roll, 53—Boys 23, Girls 20; average daily attendance, current quarter, 20½; present to day, 16. Reading, 53—5 classes; spelling and meanings; daily. Writing, 45; style very superior; many specimens excellent. Arithmetic, 24—3 classes; highest through Gray. Grammar, 7—2 classes; highest, Rules of Syntax; parsing daily. Geography, 12; Geographical Primer three times a week. Dictation, 10; twice a week. Book-keeping, 4; books exceedingly well kept. Remarks—Thursday, 10th Feb. 1859. Visited this School this day. The Register has been duly kept, and the Rules and Regulations of the Board of Education have been properly observed. The school is opened and closed with prayer—the prescribed forms. The scholars are evidently well-behaved, orderly and studious,

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and all that fell under my observation having relation to the government of the School, gave me reason to believe that Mr. McNeill is not only a well-qualified, but also a very faithful and successful teacher of youth. The school-house is comfortable, and, in one sense, sufficient; but it is much too small for the proper accommodation of as many scholars as are generally in attendance. The school furniture has been constructed and arranged with a good deal of regard to the comfort and convenience of the pupils, but still it might easily be much improved, and indeed ought to be. Notified the Trustees to attend to this suggestion.

Seal River; James O'Rielly, Teacher; First or Lowest Class. Register, 24—Boys 19, Girls 5; average daily attendance, current quarter, 18 6-24; present to-day, 13—Boys 9, Girls 4. Reading, 24—4 classes. Writing, 15; some specimens very good; the teacher himself is a superior penman. Arithmetic, 16—2 classes; MS. books fair. Grammar, 9—2 classes. Geography, 6. Dictation, occasionally. No Scripture lessons, no prayers. Remarks—Thursday, 10th February, 1859. Visited this School this day. The Register seems to have been duly kept, but the daily attendance for the last four days has not been indicated by figures at the foot of each column, and neither have absences been indicated by the prescribed mark "ab." The scholars who were present seemed to be orderly and well-behaved. School-house sufficient and comfortable. School furniture better, more suitable and convenient than I have generally found it in other schools which I have visited. I entered the school-house a little after 1 o'clock and left it a little before 2 o'clock, p. m. Some of the scholars present told me the teacher was gone to get his dinner. The facts which I have above recorded were derived from my inspection of the Register, examination of manuscript books, and information communicated to me, in answer to questions put by me, by two or three very intelligent boys, pupils of the teacher. When I left the school-house the teacher was not returned. The average daily attendance, 18 6-24, above indicated on the current quarter, ranges over a period of six weeks, but, during that time, the School appears, by the Register, to have been taught for only 24 days.

Hillsborough; Charlottetown; Ewen Amos, Teacher; First or Lowest Class. Remarks—Monday, 21st March, 1859. Intending to visit this school to-day, called at the school-house, which I found closed, about 11 o'clock, a. m. On enquiring in the immediate neighbourhood, the reason of its being closed, I was informed that the teacher was in Jail, which, I am sorry to say, I have since found to be a fact.

King's Square, Charlottetown; John Arbuckle, Teacher; Second or Highest Class. Register, 38; average daily attendance, current quarter, 30. Reading, 38; 1st, 2d, 3d and 4th Books. Writing, 20; fair specimens. Arithmetic, 16—3 classes. Grammar, 8—2 classes. Geography, 5; outlines. Testament class daily; 24. Remarks—Monday, 21st March, 1859. Visited this School this day. Number present, 32. Register duly kept. Some of the scholars, I am sorry to be obliged to say, behaved very ill, even whilst I was present; so ill indeed that I could not forbear commenting upon their behaviour with some severity. Their insubordination must, I fear, be attributed chiefly to laxity of discipline—to a want of energy, decision, and determination on the part of the teacher, who, however, on the score of ability, acquirements, and experience, is entitled to rank as one of the best teachers in the Island.

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Orphan School, Grafton Street; Mrs. George Clarke, Teacher. Register, 13—Boys 7, Girls 6; average daily attendance, current quarter, 6 15-17. Reading, 13. Writing, 8. Arithmetic, 6. Remarks—Visited this School this day, Tuesday, 22d March 1859: Number on the Roll, 13—7 boys and 6 girls. The current quarter commenced on Monday, the 28th February, 1859. Average daily attendance, 6 15-17. Mrs. Clarke says the attendance during the late severe weather, fell below what it had usually previously been, and that she expects it will rise again as the weather shall become milder and pleasanter. In the Visitor's Book I observed a record, made 5th September, 1856, by the Rev. Charles Lloyd, late Rector of Charlottetown Parish, the propriety of which, however strongly it may have been evidenced by the state of the School at that time, is fully as applicable to it at the present moment. In this Record, the Rev. gentleman—after expressing his surprise that the boon of Free Education, perfectly carried out, should, as indicated by the smallness of the attendance, be so little appreciated—suggests the appointment of two or three philanthropically disposed persons to make the requisite enquiries, and stir up negligent parents, for the purpose of giving more extended effect to the liberal views of the Legislature in establishing this School. A person better qualified, or more suitable and deserving in every way to be entrusted with the management of this School, than Mrs. Clarke, the present teacher of it, could not easily be found. Under her government, the scholars are trained to the greatest propriety of behaviour: they are perfectly clean, comfortably clothed, cheerful, and, seemingly, earnest in learning. The progress made by some of them in reading and spelling, as tested by me this day, is very satisfactory. Eight of the children write—four of them in copy-books and four on their slates only. Mrs. Clarke herself writes a very fine hand; and the copy-books prove that she teaches writing with much care and success. Six of the scholars cipher—the most advanced are in Long Division. Some of the children read in the 4th, some in the 3d, some in the 2d, and some in the 1st Book; some are only learning the alphabet. That a School so well, faithfully, and successfully taught, and on principles of perfectly free education, as this is, should not be better attended, can, I think, be accounted for only, either on the supposition that the existence of the school is not sufficiently well known among the classes for the benefit of whose children it has been instituted; or else on that that parents amongst these classes are not sufficiently alive to the interests of their children to avail themselves of it. And, in either case, the only means, as it seems to me, by which the school can be made as useful as it was intended by the Legislature it should be, and as it certainly might be, the carrying into effect the suggestion of the Rev. Mr. Lloyd, to which I have above directly referred. The School is always opened with prayer; and Mrs. Clarke, afterwards, reads a portion of the Old Testament to her youthful charge. In the afternoon, all the children who were able to do so read, in class, a lesson from the New Testament.

Pownal Street, Female School; Miss Annie Scantlebury, Teacher. Remarks—Tuesday, 22d March, 1859. Number present, 13. This is the third time, since 1st October, 1858, that I have looked in upon this school; but as it has not yet been established according to law, through the insufficiency of the number of scholars entered, or upon the Roll, their number at no time having exceeded 20 on the Roll, I have not conceived it to be my duty to notice it further than by requesting Miss

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Scantlebury, the teacher, to give me—as soon as she should have the number of pupils required by law to constitute a school upon her Roll—notice of the fact, to the end that it might be duly visited by me. Miss Scantlebury says that the average daily attendance on the six months during which she has kept the school open, has been 15. She further says, that the children who attend are very respectable, and also that she believes a sufficient number to constitute a School according to law, would attend, if a room to teach in were taken in a more respectable quarter, and where some proper out-door conveniences could be secured for the scholars.

R. B. IRVING,
Acting School Visitor.

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Despatch from Sir E. B. Lytton, to Lieutenant Governor Daly, of 10th September, 1858,—with Enclosure—on same subject.

Despatch from Sir E. B. Lytton, to Lieutenant Governor Daly, of 16th November, 1858,—marked "Circular,"—on same subject.

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No. 2. Despatch from Sir E. B. Lytton, to Lieutenant Governor Daly, dated 24th September, 1858—regarding the contemplated guaranteed Loan:

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No. 3. Accounts of Commissioner of Crown and Public Lands.

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