

And be it enacted, That within Sixty days after such Commissioner of each District as aforesaid shall have received any moneys arising from the settlement of such inhabitants in his District as aforesaid, he shall pay the same over to the Public Treasurer of this Island, after deducting Two per centum on such moneys so received as aforesaid, who shall give a receipt for the same, if required.

And be it enacted, That such persons as have been appointed Deputies under the provisions of the Fifth Section of the Act passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, intituled *An Act for levying an Assessment on all Lands in this Island*, are hereby authorized and empowered—and they are hereby required so to do—to receive such part of the purchase moneys as may be due and unpaid, from time to time, from such person or persons as shall be settled in accordance with the terms of this Act; and such Deputies shall be allowed for their trouble at and after the rate of Two Pounds for every Hundred Pounds by them respectively collected; and such Deputies shall collect the several Land Taxes in and by this Act imposed in the same manner, and at the same percentage, and under the same regulations, as is contained in the said Fifth Section of the said recited Act.

And be it enacted, That if any Commissioner or Justice of the Peace, appointed under and by virtue of this Act, or any person or persons employed by or under him or them respectively, shall charge, demand or take any other or greater Fee or Fees than is or are herein-before mentioned or allowed, he or they so offending shall, for each and every such offence, forfeit and pay to the party or parties from whom he or they shall have so charged, demanded or received the same, the sum of Five Pounds, over and above the amount of the Fees which shall have been so illegally charged, demanded or taken as aforesaid—which sum of Five Pounds shall be recovered, with Costs of Suit, before any one Justice of the Peace of this Island—and that if any Commissioner or Deputy appointed under and by virtue of the aforesaid Act, shall neglect or refuse to pay over to the Treasurer of this Island any moneys he may receive by virtue of this Act, every such Commissioner or Deputy shall forfeit and pay, for every such offence, the sum of Fifty Pounds, over and above the moneys he may have received as aforesaid—which sum shall be recovered in Her Majesty's Supreme Court of Judicature of this Island, with Costs—and when recovered shall be for the use and disposal of Her Majesty's Government.

And be it enacted, That nothing in this Act contained shall have any force or effect until Her Majesty's pleasure thereon shall be known.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

To all to whom these Presents shall come, Greeting:

Know Ye that we, A. B., of Esquire, Commissioner of District of this Island, appointed under an Act of the General Assembly of this Island, intituled *An Act to authorize the Crown to purchase the Lands, and to regulate the Settlement of the Inhabitants of this Island, and to repeal certain Sections of the Act passed in the Seventh Year of the Reign of His late Majesty, intituled "An Act for levying an Assessment on all Lands in this Island," and C. D., of Esquire, one of Her Majesty's Justices of the Peace for County, by virtue of the power and authority given unto us by the said Act, and in consideration of the sum of of current money of the said Island—of which sum is paid in hand by E. F., of to us, at or before the Sealing and Delivery of these presents—the receipt whereof is hereby acknowledged—have granted, bargained, sold and confirmed, and by these presents do grant, bargain, sell and confirm unto the said E. F., his Heirs and Assigns, for ever, all [here describe the premises,] together with all hereditaments and appurtenances thereunto belonging, or in any wise appertaining; which said Land has been settled by us, and is now conveyed to the said E. F., who hath been found by us to be Tenant [or Occupier, or Squatter, as the case may be], pursuant to the said Act of Assembly—to have and to hold the said Lands, Hereditaments and Premises hereby conveyed, or intended so to be, unto the said E. F., his Heirs and Assigns, to his and their proper and absolute use and behoof, for ever. [If the purchase money, or any part of it, or the interest thereof, be not paid as mentioned in the Act, here insert, that the Land is conveyed subject to such payment, as the case may be.] In Witness whereof, we have hereunto our Hands and Seals subscribed and set, this day of in the Year of our Lord, 18*

Signed, sealed and delivered, in presence of  
G. H.,  
I. K.

A. B., (L. S.)  
C. D., (L. S.)

RECEIVED, on the day of the date of the foregoing Deed, from the therein named E. F., the sum of of current money of this Island, being the full [or part] consideration money in the said Deed mentioned to be paid by him to us.

Witness,  
G. H.,  
I. K.

A. B.,  
C. D.

SCHEDULE (B.)

TOWNSHIP NUMBER

Names of Inhabitants.	Titles of each.	Number of acres each occupy, cleared.	Number of acres each occupy in a Wilderness state.	Total number of acres.	Number of Proprietors or Claimants.	How long has been in possession or occupation.	If their Deeds be recorded.	REMARKS.

SCHEDULE (C.)

WE, A. B., Commissioner appointed under and by virtue of an Act intituled *An Act to authorize the Crown to purchase the Lands, and to regulate the settlement of the Inhabitants of this Island, and to repeal certain Sections of an Act, intituled "An Act for levying an Assessment on all Lands in this Island," and C. D., one of Her Majesty's Justices of the Peace, of and for County, having examined the Title of the within named E. F., do approve of the same, which we certify.*

A. B., Commissioner.  
C. D., J. P.

SCHEDULE (D.)

You shall well and truly try the [several] matters in dispute between the Parties at variance, and a true Verdict given, according to the evidence.

So help you GOD.

EXPEDITION TO CHINA.—We are enabled to lay before our readers this week a correct statement of the particulars of the vessels which have already sailed, and are yet to sail, for the purpose of vindicating British honour on the coast of China. The Blenheim, 74 guns, sailed direct from Portsmouth, on the 17th February; Melville, 74, from the Cape; Wellesly, 74, from the Indian station; Blonde, 46, direct from Plymouth, on the 26th of February; Druid, 48, from the Cape, via Sydney, on the 5th of November; Pylades, 18, direct from Plymouth, on the 23d February; Nimrod, 20, from Plymouth, on the 24th February, (with duplicate instructions for Admiral Elliot); Modeste, 18, from the Cape, on the 5th November; Wanderer, 18, sailed from the Cape on the 12th February from Plymouth, with orders to Admiral Elliot to proceed with all his corvettes, and take command in China. Besides these ships another 74 has orders; the Pique, 38; Andromache, 28; 18 vessels from the Indian station, from 18 to 20 guns each, part of the Indian navy; 2 vessels from the Cape station, 18 to 28 guns each; 2 from the South American station, 18 and 28 guns each; 2 from the South Wales station 11 to 28 guns each; 2 large steamers, supposed to be the Sesostris and the Queen. The expedition includes from 12 to 15,000 men.—*London Commercial Journal.*

RESTORATION OF THE JEWS.—A memorandum has been addressed to the Protestant Monarchs of Europe, on the subject of the restoration of the Jewish people to the land of Palestine.

The document in question, dictated by the peculiar conjuncture of affairs in the East, and the other striking "signs of the times," reverts to the original covenant which secures that land to the descendants of Abraham, and urges upon the consideration of the Powers addressed what may be the probable line of duty on the part of Protestant Christendom to the Jewish people, in the present controversy in the East.

THE CHURCH OF SCOTLAND.—We copy the following announcement from the *Witness* of yesterday:—"On the night of Monday last, Dr. Gordon, of this city, was interdicted by the Court of Session from preaching the Gospel in any of the seven parishes of Strathbogie, whose ministers are suspended by the Assembly's commission." There is no mistaking this. The preaching of the word of God by one of the best, the gentlest, the most unassuming, most truly apostolic men in the church within these seven parishes, is prohibited and interdicted by the Court, and if he preaches the Gospel in the face of this interdict, we presume that he will be imprisoned for contempt. Never, since the day of the Covenant, has the free preaching of the word been interdicted in Scotland, and we earnestly hope the people will feel and act as they ought in this momentous crisis; their interests are at stake, their rights are invaded, their well-won and dearly-prized privileges as Scotsmen and Presbyterians, as ratified and acknowledged at the Union, are now in peril. Let the people bestir themselves, and demand a remedy for grievances which can no longer be

endured. The ministers who have taken the lead in this question will do their duty calmly, steadily, and fearlessly. Let the people do their duty also—let them stand by the good and venerable men who, for their sakes, make such sacrifices. Let meetings in every quarter, petitions and addresses from every parish, demonstrate the determination of Scotland that there shall be no intrusion, no encroachments by civil courts on the independence of the church in matters purely ecclesiastical.—*Caledonian Mercury.*

THE DISPUTE IN THE CHURCH OF SCOTLAND.—The following is an analysis of the nature of the difficulty which has arisen between the rulers of the Kirk of Scotland and the lay patrons of parishes. In the Scottish Kirk they do not keep distinct, as is done in the Church of England, ordination and patronage. In England, no man can be inducted to a benefice unless he has been previously ordained. In the Kirk, the patron presents a probationer, that is, a young man who preaches, but is not yet ordained to the ministry; and the act of presentation amounts to an order to ordain. Thus the lay patron, by appointing an improper person, may inflict a grievance upon the Church, or the Church, by refusing to ordain the person appointed, may inflict an injury upon the patron of the benefice and his presentee.

The following is an article from the *Morning Chronicle*; and if the arguments therein urged in favour of the present marriage be of any avail, with how much more force will they apply in connexion with that solemnized at Rome (namely, with Lady Augusta Murray):

"The *Morning Post* of Saturday states, that the marriage of His Royal Highness the Duke of Sussex and Lady Cecilia Underwood, is about to be publicly solemnized, and that a recommendation to the House of Commons from the Crown to make an additional provision to his Royal Highness of £6,000 a year—the sum given to each of his brothers on the occasion of their marriages—will speedily follow. We possess no knowledge of what may or may not be the intention of the Crown upon the subject; but in common with an immense majority of the people of the whole empire, we should be heartily rejoiced to learn that Her Majesty had directed her Ministers to make a public avowal of this marriage. It is generally known that the marriage was years ago solemnized according to the forms of the established religion of the country; and to all those who have witnessed the private life of the Duke of Sussex and his beloved wife, it is manifest that there never was a marriage which yielded more domestic happiness. Is it not, then, every way becoming a generous Prince and an honest man, that he should desire to confer all the advantages of his birth and station on the lady whom he has taken to his heart and home, and made the constant companion of his life? Does it not well become England's Queen to recognize, by her Royal sanction, a marriage which she knows has so long existed in mutual love, which was contracted under the solemnities of our religion, and requires only the Royal approval to confer on an amiable and worthy lady, the married wife of an illustrious Prince, all the public honours which she has so well deserved by her constancy and devotion to her Royal husband?"

The Queen has been pleased to direct letters patent to be passed under the Great Seal, granting the dignity of a Duchess of the United Kingdom of Great Britain and Ireland, unto the Right Honourable Lady Cecilia Letitia Underwood, (eldest surviving daughter of Arthur Saunders, second Earl of Arran,) and the heirs male of her body, by the name, style, and title of Duchess of Inverness.—*Gazette.* [One of the Duke of Sussex's titles is, as a Prince of the Blood Royal, "Duke of Inverness."]

Mr. W. Buck, boatswain of Plymouth Dockyard, who was the person who nailed the British flag to the mast-head of the Royal Sovereign at Lord Howe's great engagement in 1794, has been superannuated with a pension of £160 a year.

CANADAS.

Buffalo Commercial Advertiser.

Destruction of Brock's Monument.—Every tourist will remember Brock's Monument, which crowns the heights of Queenston, and adds so much to the picturesque beauty of the landscape. Yesterday morning, about 4 o'clock, the inhabitants of Lewistown and Queenston were aroused, by a report like the heaviest artillery. On looking out, a column of smoke was seen slowly ascending from the tall monument, and as it drifted away, the obelisk-like tower was discovered to be rent and shattered from turret to foundation stone. What possible motive could have induced this worse than Vandal outrage, we are at a loss to imagine. No man was more universally respected on both sides of the line, than General Sir Isaac Brock. Brave, courteous and humane, to a degree that reminded one of the preux chevalier of former times, he commanded the esteem of his country's enemies even in the time of war. Nought but the most wanton and fiendish malignity could have prompted any one thus sacrilegiously to disturb the repose of the gallant and honoured dead.

Disastrous Conflagration in Kingston, U. C.—We have this day to record another disastrous fire in Kingston, Upper Canada, which took place on the night of Friday last, during a violent gale of wind.

In the present case, all the large warehouses have been swept off by the conflagration, besides most of the principal places of business. We fear that all the printing offices have been destroyed. If so, it may be some time before we have a detailed account in a Kingston journal. The following buildings were consumed: Counter's, M'Pherson & Crane's, and the Ottawa Company's warehouses, with several

buildings in the immediate vicinity; the entire square lying North of the Market, except the Commercial Bank and three stores next adjoining, fronting on South street, and one small building on the easterly corner of the square.

There were in all about seventy-five buildings consumed.

Many persons were injured, and one man, we understand, was killed. A tremendous explosion of gunpowder, which was in one of the warehouses, scattered burning fragments far and wide.

An immense amount of property, we understand, was destroyed—among which we learn was about 16,000 barrels of flour; one schr. the *Lord Nelson*, and one small steamboat were consumed.

The fire is supposed, by some, to have originated from sparks blown from the chimney of the Telegraph, into Mr. Counter's warehouse.

The Rochester Democrat says, there were 50 kegs of gunpowder, and a large quantity of saltpetre, in one of the stores that was destroyed. The same paper estimates the loss at over half a million of dollars.

Monsieur Lartigue, Catholic Bishop of Montreal, was lying, dangerously ill, in the Hotel Dieu Hospital, of that city.

The Montreal papers of Wednesday still speak of the illness of His Excellency the Governor General, who was confined to his bed on Tuesday.

LEGISLATIVE COUNCIL CHAMBER,

Wednesday, April 22, 1840.

Mr. WORRELL moved that the following Address be presented to Her Majesty:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The humble Address of the Legislative Council of Prince Edward Island.

May it please your Majesty; We your Majesty's faithful and loyal subjects, the Legislative Council of Prince Edward Island, in Colonial Parliament assembled, beg leave to approach the Throne with those feelings and sentiments of loyalty and affection to your Majesty's Royal person and government, which, as it is our duty, it has ever been our pride to cherish.

Your Majesty having been pleased to order the formation of a Legislative as well as an Executive Council in this Colony, distinct and separate from each other, we, the Members of the former body, who have been the first appointed by your Majesty's commands to this honourable and highly responsible trust, deem it expedient, in order to the due performance of our duties, humbly to represent to your Majesty a difficulty under which we labour, with a view to its removal, and without which, we humbly conceive, our usefulness, as a distinct and independent branch of the Legislature, will be in a great measure diminished.

It has been of late years the practice of the House of Assembly (although the right so to do has been at different times contested by the late Executive Council, when acting in their Legislative capacity) to send up the Bill for the appropriation of the whole of the Supplies granted to the Crown for the current year, when the Session is about drawing to a close, thus insisting upon Your Majesty's Council agreeing to or dissenting from it, without reference to the items of which the Bill is composed. By this mode of procedure—not in unison either with the Royal Instructions or with the practice of the neighbouring and other Provinces—no alternative is left your Majesty's Legislative Council, but to pass a Bill, a great part of which they may deem highly objectionable, and, in some cases, prejudicial to the public service, and the best interests of the Colony, or, by conscientiously withholding their assent, subject the country to serious inconvenience and embarrassment. In the adoption of the former alternative, an unredeemable public debt has been incurred; and the Appropriation Bill of the present Session will exceed, upon the most sanguine expectation, the disposable Revenue of the Colony.

In order to remedy an evil pregnant with much present and future mischief, your Majesty's Legislative Council would humbly suggest, with respect to all supplies for the public service, that the House of Assembly be recommended by your Majesty's Representative, to provide for each different matter or subject by a separate Bill, without blending, in one and the same Act, grants of money for totally different and independent objects, having no proper relation to each other, in accordance with the uniform practice of your Majesty's Imperial Parliament, which, as far as circumstances will admit, it is our pride, as it is our enviable privilege, to follow—so that your Majesty's Council may avoid being placed in such a position as to be obliged, either to pass the Bill, contrary to their reason and judgment, as a matter of expediency, or to reject it entirely.

May it therefore please your Majesty, graciously to take this our complaint into your Royal consideration, and to give such instructions to your Majesty's Lieutenant Governor of this Colony, on the subject, as will entitle us, in future, to demand that the House of Assembly shall either follow out the practice existing in the neighbouring Colonies, of sending up money votes separately to the Legislative Council, for their concurrence, before blending them in one and the same Bill; or else, to adopt the usage of the Imperial Parliament, and classify the different appropriations in distinct and separate Bills, under their proper and respective heads—by which means we shall be enabled the better to discharge our duty to your Majesty, and to our own satisfaction, and also to the satisfaction of our fellow subjects, the inhabitants of this Island.

The motion for agreeing to the Address was carried in the affirmative, Mr. Hodgson, Mr. Goodman and Mr. Dalrymple dissenting, for the reasons hereunto subjoined:—

DISSENT.—Because it appears from the Journals of the Legislative Council of this Colony, that in the Session of 1837, the Council, by Address to Lieutenant Governor Ready, requested His Excellency to submit, for the consideration of the Imperial Government, several Resolutions entered into by the then House of Assembly and by the Council, on the subject of the claim set up by the Council, that money votes ought of right to be sent to them by the Assembly in separate Resolutions, before embodying them into one Bill, now again complained of by this Address; in reply to which it further appears, from the same Journals, that a Despatch was transmitted by the Right Honourable William Huskisson, then Principal Secretary of State for the Colonies, to Lieut. Governor Ready, and by him handed to a Committee of the Council, of which the following is a copy, viz:—

(No. 2.) Downing-Street, 30th October, 1837.

SIR, With reference to your Dispatch of the 15th May, No. 9, addressed to Lord Bathurst, upon the subject of the unfortunate misunderstanding which has taken place between His Majesty's Council and House of Assembly of Prince Edward Island, I have to express my sincere regret, that any subject should have occurred to disturb the harmony of the two branches of the Legislature, whose mutual good understanding is so essential to the best interests of the Colony. The subject-matter of the difference, too, is, unfortunately, one upon which the pertinacious adherence of both parties to what they respectively consider as matter of abstract right, must put an entire stop to the business of the administration, and plunge the Colony into irretrievable difficulties.

You will, therefore, do well to express to His Majesty's Council, the regret with which I learn that they have thought fit, nor, for the first time, to act upon a claim of, at least, doubtful right, which has been more prudently suffered hitherto to lie dormant, and which, in its nature, it is not very easy to reconcile to the principles of the British Constitution.