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[No. 240.

COLONIAL LEGISLATURE. HOUSE OF ASSEMBLY.

THURSDAY, February 24.

Mr. Palmer presented a Bill to amend the Act for levying an Assessment on Town Lots in Georgetown, as prepared by the Special Committee, which was read the first time, and ordered to be read a second time on Saturday next.

Mr. Hudson, from the Committee of the whole House, on the Consideration of a Supply, reported, according to order, the following Resolution:

Resolved, That it is the opinion of this Committee, that a sum not exceeding Two thousand five hundred Pounds be appropriated to the general service of Roads and Bridges, for the current year.

A motion being made, that the question of concurrence be now put on the said Resolution;

Mr. Rae moved, by way of amendment, that the said Resolution be referred back to the Committee of Supply, for reconsideration—the sum voted being inadequate; which being seconded and put, passed in the negative.

The Hon. Mr. Pope then moved, in amendment to the said motion, that the said Resolution be referred back to the Committee of Supply, with a view of increasing the amount to a sum sufficient to include the necessary grants for the erection of Wharves, and that said sum be equally divided between the three Counties—and that a scale of sub-division be submitted by the Members from the respective Counties of Queen's, Prince and King's Counties—which, being seconded and put, was carried in the affirmative.

The House then went into committee on the further consideration of a Supply; and after some time spent therein, the Chairman (Mr. Hudson) reported, that the Committee had come to two Resolutions, which were ordered to be received to-morrow.—Adjourned.

FRIDAY, February 25.

Mr. Rae reported, from the Committee appointed to correspond with Joseph Hume, Esq., as Agent of the House of Assembly.

Mr. Rae also laid before the House certain Letters received by the Committee from Joseph Hume, Esq., and Dr. Bowring, M. P.; and the same being read—

It was moved, that the said Report and Correspondence do lie on the Table.

Mr. Pope moved, by way of amendment to the said motion, that the Committee be directed to lay the entire Correspondence before the House.

The House divided on the motion of amendment.

Yeas—Hon. Mr. Pope, Hon. J. S. Macdonald, Messrs. Longworth, Hudson, Yeo, Montgomery, Clark, Dalziel, Palmer, Thomson, Macfarlane—11.

Nays—Messrs. Rae, Le Lacheur, Macintosh, Gorman, Fraser, J. Dingwell Beck, Maclean, D. Macdonald, Forbes, W. Dingwell, Macneill—12.

So it passed in the negative.

Mr. Palmer then moved, by way of amendment to the said motion, that the said Report and Correspondence be referred back to the Committee, and that they be instructed to make a full report thereon.

The House again divided:

Yeas—Messrs. Palmer, Maclean, Yeo, Hudson, Hon. J. S. Macdonald, Dalziel, J. Dingwell, Montgomery, Pope, Clark, Thomson, Macfarlane, Longworth—13.

Nays—Messrs. Fraser, Beck, D. Macdonald, Macintosh, Rae, Le Lacheur, Macneill, Gorman, W. Dingwell, Forbes—10.

So it was carried in the affirmative.

Mr. Hudson, from the Committee of the whole House, on the consideration of a Supply, reported, according to order, the two following Resolutions:

Resolved, That it is the opinion of this Committee, that a sum not exceeding Three thousand three hundred Pounds be granted, for the service of Roads, Bridges and Wharves, for the present year—and that such sum be equally divided between the three Counties.

Resolved, That it is the opinion of this Committee, that the sum of Six hundred Pounds be granted, and placed at the disposal of the Lieutenant Governor, to be expended in opening New Roads, under the Road Compensation Act, no County receiving more than Two hundred Pounds of the amount.

And the first of the said Resolutions being again read;

The Hon. J. S. Macdonald moved, by way of amendment, that the sum appropriated by the said Resolution, be subdivided as follows, viz: Queen's County, £1,300; Prince County, £1000; King's County, £1000.

The House divided on the motion of amendment.

Yeas—Hon. J. S. Macdonald, Messrs. Maclean, Macfarlane, Longworth, Palmer, Forbes—6.

Nays—Messrs. Yeo, Fraser, Dalziel, D. Macdonald, Clark, Macneill, Rae, Le Lacheur, J. Dingwell, W. Dingwell, Hon. Mr. Pope, Thomson, Macintosh, Gorman, Montgomery, Hudson, Beck—17.

So it passed in the negative.

The Hon. J. S. Macdonald then moved, by way of amendment to the said Resolution, that the sum appropriated by the said Resolution be sub-divided according to the number of Townships in each County; which, being seconded and put, passed in the negative.

The question being then put on the said Resolution, it was agreed to by the House.

The second of the said Resolutions being again read;

Mr. Clark moved, by way of amendment to the said Resolution, that the words—"no County receiving more than Two hundred Pounds of the amount," be struck out, which being seconded and put, passed in the negative.

The question being then put on the said Resolution, it was agreed to by the House.

A Message was received from the Legislative Council, acquainting the House that their Honors had agreed to the amendment made by the House of Assembly to the Bill relating to the admission of Barristers, &c. in the Supreme Court of this Island, &c., and also, that the Council had passed a Bill to amend the Act for regulating the performance of Statute Labour on the Highways, &c.

An engrossed Bill from the Council, regulating the performance of Statute Labour on the Highways, &c. was read the first time, and ordered to be read a second time on Monday next.

Mr. Fraser moved, that the House do come to a Resolution, as follows:

Resolved, That a Committee be appointed, to prepare an Address to His Excellency the Lieut. Governor, with the view of opening the contemplated line of Road leading from St. Eleanor's to Mascouche.

Ordered, That the said Resolution be withdrawn by Mr. Fraser.

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

Resolved, That a Committee be appointed, to join the Committee of the Legislative Council, for the purpose of forwarding to His Grace the Duke of Bedford the Joint Memorial of both Houses to the House of Lords, praying that Corn, the growth of this Colony, may be admitted, duty free,

into the United Kingdom, and requesting His Grace to present the same; and also the Joint Memorial of both Houses to the House of Commons, on the same subject, to the Right Honorable Lord John Russell, requesting His Lordship to present the same.

Resolved, That the several Petitions presented to this House this Session, praying aid for Roads, Bridges and Wharves, be referred to the Members for the different Counties, to prepare Scales of sub-division, and report the same to the House.

The House proceeded to take the several private Petitions before the House into consideration.

A Petition of divers Inhabitants of the Northern Section of Prince County, praying an aid towards the erection of a Bridge across Trout River, at Dymont's Ferry, was taken up and again read.

Mr. Yeo moved, that the said Petition be referred to a Special Committee, to report on the expediency of erecting said Bridge next Session.

The Hon. Mr. Pope moved, by way of amendment, that the Petition be withdrawn—which being seconded and put, was carried in the affirmative.

A Petition of divers Inhabitants of New Glasgow, Cavendish, and Rustico, praying an aid to improve their Road communications, and to Bridge Winter's Creek, being again read;

Ordered, That the said Petition be withdrawn by Mr. Macneill.—Adjourned.

SATURDAY, February 26.

Mr. D. Macdonald, from the Committee appointed last Session, to whom was referred the Petition of divers Inhabitants of King's County, praying that a centre Road may be opened from the East Point to the Head of the Hillsborough, reported as follows:—

Your Committee, to whom was referred the Petition of the Inhabitants of King's County, presented to the Lieut. Governor in Council, and laid before the House of Assembly in its last Session, praying that measures may be adopted for opening a Road from the Head of the Hillsborough to the East Point, beg to report—that during the recess they have made inquiry as to the utility of the said Road, and beg leave to state, for the information of the House, that this Road would greatly benefit the inhabitants, North and South of East Point. The Road on the South side of East Point to Souris is very hilly, which might be avoided, as the contemplated Road would open a communication with all parts of the Island. It would intersect nearly at right angles the Road through Township Forty-five—the Line Road between Townships Forty-three and Forty-four—the St. Peter's Road to Bay Fortune—and the Road from St. Peter's Bay to Cardigan River. To the inhabitants of the North side it would afford a Winter Road to Charlottetown and Georgetown, as the snow drifts and bare ground (which frequently interrupt travelling on the Capes and St. Peter's Barrens) would be avoided; and with regard to the Road in question being maintained as a main Winter Road for all the North of King's County, your Committee would recommend that the width should be extended to One hundred feet, and the bushes suffered to grow on both sides, which would preserve the snow of a regular depth for hauling; and as this Road would reach the Hillsborough ice at the Bridge, it would give facility to the carriage of produce to Charlottetown. This Road would also afford great advantages for settlement; for, as far as can be at present ascertained, where it intersects the Roads alluded to, the land is generally good, and fit for cultivation.

Your Committee, in the present state of the finances of the Colony, and particularly from the great demands on the Treasury for Roads now in progress, regret that they cannot recommend the present opening of the said contemplated Road; they would, however, respectfully submit, as the importance of such a Road cannot be questioned, that it should be undertaken when those now in the course of completion shall be finished.

Laid on the Table.

Mr. Le Lacheur, from the Committee to whom was referred the Petition of William Morrison, of Georgetown, Fish Inspector, praying for an alteration in the Act of last Session for the appointment of Fish Inspectors, &c. presented to the House a Bill for that purpose, as prepared by the Committee; and the same was read the first time, and ordered to be read a second time on Tuesday next.

Mr. Forbes, from the Committee appointed last Session, to whom was referred the Petition of divers Inhabitants of Rustico, and its vicinity, complaining of the very inefficient manner in which the Bridge lately erected over Tanner's Creek had been constructed, presented the following Report to the House:—

Your Committee, to whom was referred the Petition of the Inhabitants of Rustico, and its vicinity, complaining of the inefficient manner in which the Bridge over Tanner's Creek had been constructed, having examined the same, are of opinion, that the work is sufficiently, though roughly, done, except the railing, which is all broken down, and does not appear to your Committee to have been a good job. The Bridge is very high, and consequently very dangerous without a railing; but your Committee think that the Commissioner ought to have railed it immediately, and would therefore recommend that a small sum be appropriated for that purpose.

Referred to the Committee of the whole House, on the consideration of Roads, Bridges and Wharves.

Mr. D. Macdonald, from the Committee appointed to join a Committee of the Legislative Council, for the purpose of inquiring into and reporting on the state of the Central Academy, and upon general Education, reported that the Joint Committee had agreed upon an address to Her Majesty relative to the disposal of the moneys now in the Treasury, arising from the sale of the School Lands; and the said draught address, being again read at the Clerk's Table, was, on the question put thereon, agreed to by the House, and is as followeth:

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please your Majesty:

We, your Majesty's loyal and dutiful subjects, the Legislative Council and Assembly of your Majesty's Island of Prince Edward, in Colonial Parliament convened, having had under our consideration a Despatch of the Lord Glenelg, your Majesty's late Secretary of State for the Colonies, dated Downing Street, 3d December, 1838, stating that your Majesty will be prepared to take into your favourable consideration any Joint Address which may be presented to your Majesty by both Houses of Legislature, specifying the manner and proportions in which the Moneys arising from the Sale of the School Lands under the Provincial Act of 5th Will. 4th, cap. 13, can be most advantageously appropriated, for the promotion of general Education throughout the Island, would most humbly submit, for your Majesty's approval, that the said Moneys, amounting to £

Halifax currency, may be invested with the Treasurer of this Island, in the public funds of this Colony, and that the annual legal interest arising thereupon may be apportioned amongst the District Schools which now are established, or amongst the District Schools which now are established, or hereafter be established, under the Laws of this Island, and that the said moneys be applied for the sole purpose of affording gratuitous instruction to the children of the destitute poor.

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

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

And, as in duty bound, we will ever pray.

Mr. D. Macdonald also reported the following Bills, viz: A Bill to alter and amend the Act for the establishment of an Academy in Charlottetown; A Bill to repeal a certain portion of the Nineteenth Section of the Act, 4th Vic. Cap. 6. relating to Schools, and for the encouragement of Education; and the said Bills were, on motion, respectively read for the first time.

The first of the said Bills was thereupon ordered to be read a second time on Monday, and the second on Tuesday next.

The Order of the Day, for the second reading of the Bill to amend the Act for levying an Assessment on Town Lots in Georgetown, being read;

Mr. Palmer moved, that the said Bill be now, according to order, read a second time.

Mr. Thomson moved in amendment to the said motion to leave out the word "now," and at the end of the question insert the words "this day three months."

The House divided on the motion of amendment:

Yeas—Messrs. Thomson, Fraser, Le Lacheur, Beck, Macneill, Macintosh, Rae, Yeo—8.

Nays—Mr. Palmer, Mr. Dalziel, Hon. Mr. Pope, Hon. J. S. Macdonald, Messrs. Clark, Longworth, D. Macdonald, Gorman, W. Dingwell, Maclean, Macfarlane, Hudson, Montgomery—13.

And then the said Bill was read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House on Monday next.—Adjourned.

MONDAY, February 28.

A Message was received from the Legislative Council, communicating the following Resolution:—

Resolved, That an humble Address be presented to Her Majesty, praying that Her Majesty will be pleased to confer on Charlottetown the privilege of a free Warehousing Port, and that the House of Assembly be requested to join therein.

The House went into Committee on the further consideration of Roads, Bridges and Wharves, and after some time spent therein, the Chairman (Mr. Longworth) reported progress, and asked for leave to sit again.—Leave granted.

After some other routine business, the House adjourned.

TUESDAY, March 1.

The Hon. Mr. Pope, by command of His Excellency the Lieut. Governor, laid before the House a Copy of the Agreement entered into between the Government of this Island and the Contractor for building a Wharf at Minchin's Point, opposite Charlottetown, received in compliance with the message of this House of inst.—Laid on the Table.

The House went into Committee on the further consideration of Roads, Bridges and Wharves; and after some time spent therein, Mr. Longworth (the Chairman) reported, that the Committee had come to the following Resolutions:—

1. RESOLVED, That it is the opinion of this Committee, that the Moneys appropriated for the general service of Roads, Bridges and Wharves, in Prince County, be expended agreeably to the following Scale, viz:

PRINCE COUNTY.

District No. 1.—Northern Section.

Road from St. Felix to Kildare Bridge, 20 0 0
From Kildare Settlement to Tignish, 10 0 0
From Cascumpeque to Kildare Bridge, 20 0 0
From Halloran's to Hill's Mills, 30 0 0
New Bridge, Lot 5, 50 0 0
Trout River Bridge, Lot 6, 15 0 0
Main Western Road, Lot 6, 20 0 0
Road from Warburton's to Large's Ferry, 16 0 0

Southern Section.

Roads on Lot 7, where most required, 25 0 0
Do. do. 8, do. 15 0 0
Do. do. 9, do. 15 0 0
Main Western Road, do. 76 13 4
From Maclean's to Main Western Road, Lot 12, 22 0 0
From Maclean's to Barlow's, 20 0 0
From Macdonald's to do. 6 0 0

District No. 2.

Road from Maclean's Mill to New Bedford, 5 0 0
Road North side of Trout River, leading to Main Road, and making Bridge on do. 7 10 0
From Maclean's Mill to Barlow's, 5 5 0
From Plasted's Mill towards Neil Ramsay's, 15 0 0
From Trout River to the Main Western Road, 12 0 0
Main Western Road, South of Ellis River Bridge, 26 0 0
Main Western Road, Lots 13 and 14, North of Ellis River Bridge, 26 0 0
Road from St. Joseph's Village to Higgins's Ferry, 10 10 0
From Fifteen Point to Abraham's Village, 10 0 0
From the Shore to the Back Settlement of Fifteen Point, 5 0 0
From Mascouche to Fifteen Point, 10 0 0
Two Bridges on the Road from St. Eleanor's towards Bedeque, 5 0 0
From Hillson's, Lot 19, to Green's shore, 15 0 0
From Mr. Macgregor's to the South West, 5 10 0
From Alexander Campbell's to Benjamin Rogers's, 5 5 0

District No. 3.

Darney Bridge, 30 0 0
Stewart Bridge, Town Road, 5 0 0
Sheen's Bridge, 5 0 0
Causeway at Hillson's Bridge, 20 0 0
Road and Bridge at Edward Ramsay's, a Road given up by J. Yeo, Esq. 5 0 0
Fermoy Bridges and Road, 10 0 0
Hard at Mr. Kier's shore, 20 0 0
That part of Irishtown Road, in Prince County, betwixt Barrett's and Donahue's Mill, 5 0 0
Western Road, from Barrett's to the Line of Lot 17, 8 0 0
Roads and Bridges in Princetown Royalty, 15 0 0
Old Town Road and Bridges, & Hill at Mathew's and Dempsey's, 7 0 0

District No. 4.

Repairs of Aboiteaux, Tryon, 50 0 0
Causeway near J. Lord's, 15 0 0
New Road to Back Settlement, Tryon, 10 0 0
Bradshaw's Causeway, 10 0 0

Bridges on Road from Taylor's Mill to Malpeque, 10 0 0
New covering of Taylor's Mill Bridge, 10 0 0
Repairs of that part of Wilmot Creek Bridge in District No. 4, 5 0 0
Road from Cape Traverse to Tryon Road, 5 0 0
New Road to landing near John Clark's, Cape Traverse, 3 0 0
Bridge near Hector Campbell's, Cape Traverse, 5 0 0
New Road from South West River to Burns's Road, Lot 25, 20 0 0
General Repairs of Roads, where most required, 20 0 0

WHARVES.
Green's Shore, 200 0 0
Tuplin's Wharf, 7 0 0
Hurd's Point, 43 0 0

Contingencies for Prince County, 250 0 0
33 6 8
£1,100 0 0

2. RESOLVED, That it is the opinion of this Committee, that the Moneys appropriated for the general service of Roads, Bridges and Wharves, in Queen's County, be expended agreeably to the following Scale, viz:

QUEEN'S COUNTY.

District No. 3 (in Queen's County).

For covering Bridge over Campbell's Pond, 22 10 0
Bridge at Spring-brook, 5 0 0
Bridge at Burke's, Irishtown, 6 0 0
Road from Johnston's Mill to the Southwest River, and Bridge thereon, 4 0 0
From James Cousins's to Long River, New London, 6 0 0

District No. 5.

To cover New Glasgow Bridge, 25 0 0
Repairing Bridge over Old Mill Brook, Rustico, 15 0 0
Road from New Glasgow towards Fyffe's Ferry, where most required, 20 0 0
Road from New Glasgow Bridge to Bolt's, 20 0 0
Road from Beckingham's Mill to Bridge over Tanner's Brook, and to rail said Bridge, 10 0 0
Road from Haslam's towards Campbelltown, New London, and to Bridge the brook over Greenville Mill-stream, 15 0 0
Princetown Road, where most required, 10 0 0
To be expended by the Commissioner, where most required, 19 5 0

District No. 6.

To repair the Road and two Bridges between Warren Farm and Nine-Mile-Creek, 20 0 0
To straighten and improve the Road leading from St. Peter's Point to Canoe Cove, where most required, 12 0 0
To repair the Bridge over Wright's Mill Creek, Lot 65, 15 0 0
Raising the Bridge over Samuel M'Eachern's Creek, and repairing the Road from thence to Bonshaw, 15 0 0
Road from Bonshaw Bridge to Mabey's, and repairing Sable Bridge, 70 0 0
To repair Sturdie's Bridge, Crapaud, 14 0 0
Sable Back Settlement Road, 8 0 0
Raising the Bridge over Gore's Creek, and cutting down the Hills, 10 0 0
Road from York River to Pye's, 8 0 0
Towards building a Wharf at Sandy Point, Crapaud, provided the inhabitants there subscribe a sufficient sum to complete said Wharf, 35 0 0

District No. 7.

To repair the covering on Poplar Island Bridge and Road, and Bridges from thence to Charlottetown, 40 0 0
Princetown Road and Bridges, 20 0 0
Saint Peter's Road, and Bridges thereon, 20 0 0
Lower Royalty, towards Braddock's, 7 7 3
Bridge over Winter River, Union Road, 6 0 0
To repair Brackley Point Road, near Doctor Macgregor's, 4 0 0
Black River Bridge, 3 0 0
Dalrymple's Mill Bridge, 7 0 0
Royalty Road, from York River to Roper's Hill, 6 0 0
Mathewson's Mill to Brackley Point Road, 8 0 0
Building a Bridge on the Road leading from the Poplar Island Road to the end of the Royalty, and opening out said Road, 8 0 0
Cutting down Hills near Thompson's Hill, Brackley Point Road, 8 0 0

District No. 8.

Road from Christopher's Bridge towards Corranhan, 10 0 0
Bridge over Auld's Mill-dam, 5 0 0
Repairing Leitch's Bridge, Covehead, 5 0 0
Road from Black River Bridge to the West line of Lot 34, 6 0 0
From St. Peter's Road to Duck's Farm, Suffolk Road, in addition to the sum of £10, unexpended of last year's appropriation, 14 0 0
From Stanhope towards Tracadie Road, 7 0 0
From Stanhope towards Corranhan Bridge, 6 0 0
From North River Bridge towards Grand Tracadie, 8 0 0
Railing Big Bridge, and repairing Friston Settlement Road, 9 0 0
Road from Corranhan to St. Peter's Road, 8 0 0
Road from Mill Cove towards the head of Bedford Bay, 5 0 0
From Black River Bridge to the Ten-Mile-House, 5 0 0
Road from the Sand Hills to Point de Rouge, 10 0 0
Railing Clark's Bridge, and cutting down the Hill's thereat, 8 0 0
Road from Clark's to Five Houses, 8 0 0
Monaghan Settlement Road, where most required, 15 0 0
Tarentum Road, where most required, 15 0 0
To rebuild the Bridge at Hayden's Gate, St. Peter's Road, and to cut down a Hill, 9 0 0
Road from Glenfinnan Point to Main Road, 4 0 0
Battery Point Road, 4 0 0
Bridge over Bonnet's Creek, Five houses Road, 8 0 0
Road from Sand Hills towards the Cross Roads, 11 0 0
Cross Roads to the Portage, 6 0 0
Railing Goff's Bridge, St. Peter's Road, 3 0 0

District No. 9.

Completing the Road leading from Orwell Head to Georgetown Main Road, by way of Vernon River New Bridge, 52 0 0
Murray Harbour Road, leading from Uig to Redmond's Bridge, and towards repairing a Bridge at the District line, 20 0 0
Road leading from Forbes's Mill to Gay's Saw Mill, 8 0 0
New line of Road leading from the Back settlement, Lot 48, on the Division line between Lots 49 and 48, to the old Three River Road, 10 0 0
Road leading from the County line to Redmond's, 10 0 0
Road leading from James Macdonald's to Johnston's River Bridge, 12 0 0
Tarentum Settlement Road, 8 0 0