

then be under the jurisdiction and authority of the Commissioners of Sewers of such Parish, although a majority of acres in such District may not have been voted for at such election, but striking out the votes for Marsh in any District not then under the jurisdiction and authority of such Commissioners of Sewers, when it shall appear that a majority of the estimated number of acres therein shall not at such annual meeting have been voted for; and such Commissioner or Commissioners taking such poll, shall in like manner as directed for the Sheriff, return and file the proceedings and Poll Book of such election in the Office of the Clerk of the Peace, to be laid before the next Court of Sessions of the Peace for examination and confirmation; which Court shall in like manner, as before directed, examine such proceedings and Poll Book, and if no substantial irregularity be made to appear, shall confirm the same, and proceed to ascertain from such return and Poll Book the name or names of the Commissioner or Commissioners elected, and fix the period of service as follows: If only one Commissioner be elected, his period of service shall expire on the day preceding the annual election to take place five years after the time he was elected; and if two be elected, the period of the service of the Commissioner having the lowest number of votes shall be four years from the like time to expire on the like day; and so on, if more be chosen; and in case of any two or more Commissioners having an equal number of votes, the Court shall determine by lot in like manner as before directed by the seventh Section of this Act, which Commissioner shall be deemed, for the purpose of determining such period of service, to have the greater number of votes, which determination and confirmation shall be entered in the Minutes of said Court, and notice of appointment given to the Commissioners in like manner as is provided in the case of the first election before the Sheriff or his Deputy; provided that the neglect of any Commissioner chosen and confirmed agreeably to this Act, to be sworn within the time prescribed, or the neglect or omission to hold any annual meeting for the choice of Commissioners to supply vacancies, shall not in anywise affect the powers or authority of the remaining Commissioners of Sewers, but the vacancies then or afterwards happening before the next annual meeting may be then supplied.

X. And be it enacted, That when the proprietors of a majority of acres, in any District, shall be desirous of withdrawing the same from the jurisdiction and control of the Commissioners of Sewers in the Parish in which the District is situated, and shall make application in writing to any Court of Session of the Peace for the County, the said Court may, by order, allow the same to take effect at such time, not exceeding six nor less than three months from the time of such order, as such Court may in such order direct; and after the time appointed for such order taking effect, the Commissioners shall cease to have any jurisdiction or control over such District, and the same shall be deemed withdrawn; provided that any rate made before the time for such order taking effect, may still be enforced and levied in all respects the same as if the said District had not been withdrawn; provided that such district may, at any time, be restored to the jurisdiction and control of such Commissioners of Sewers, either by the consent of the proprietors of a majority of acres therein given in writing, or by the proprietors of a majority of acres voting at any election of Commissioners of Sewers, as in other cases hereinbefore provided for.

XI. And be it enacted, That when and so soon as the Commissioners, or any two of them so chosen before the Sheriff, and confirmed by such Court, shall have taken the oath of office, any former existing Commission for the appointment of Commissioners of Sewers in and for the Parish, shall be deemed to be cancelled and void, and all the powers and duties of any such previous Commissioners shall cease and determine; provided that any matter or thing by them before done under such cancelled Commission, agreeably to the directions of the first recited Act, shall be held valid, and all rates imposed may be enforced by the elected Commissioners; and provided also, that nothing in this Act contained, shall affect or be construed in any wise to affect the appointment of Commissioners of Sewers under the Act passed in the third year of the Reign of Her present Majesty, intituled "An Act in addition to the Acts now in force relating to Commissioners of Sewers."

XII. And be it enacted, That every person allowed by Law to make an affirmation instead of taking an oath, shall be allowed to affirm in every case where by the provisions of this Act an oath is required to be taken; and if any person taking any oath or making affirmation as required by this Act, shall wilfully swear or affirm falsely, such person shall be deemed guilty of wilful and corrupt perjury, and shall be liable to all the pains and penalties by Law provided for that offence.

XIII. And be it enacted, That for holding such first election of Commissioners of Sewers for any Parish, the Sheriff shall be entitled to demand and receive the sum of — pounds; and the Clerk of the Court of Sessions for the services required of him by this Act, shall be entitled to such reasonable fees as are provided in other cases for services of like extent; all which shall be paid by the Commissioners of Sewers for such Parish, and may be by them rated and imposed on the Marsh under their jurisdiction and control, in like manner as the charges allowed for their own services are imposed.

XIV. And be it enacted, That throughout this Act, in the construction thereof, except there be something in the subject or context inconsistent with or repugnant to such construction, the

word "Marsh" shall extend to and mean the Marsh, Low Lands, and Meadows, referred to in the first recited Act; the word "Proprietor" shall extend to and mean the owner in fee of any such Lands, either in possession by himself or his Tenant under a lease not having seven years to run, the Mortgagor, Tenant by courtesy, Tenant in Dower, Tenant for life, or for years under a lease having seven years to run, of any such Lands, and being in possession thereof; and when the subject of context requires it, every word importing the singular number, or the masculine gender only, shall include and extend to several matters as well as one matter, and several persons as well as one person, and females as well as males, and bodies corporate as well as individuals.

#### SPEECH

Of His Excellency Sir Donald Campbell, Baronet, to the Colonial Legislature of Prince Edward Island, on the opening of the Session on Tuesday the 1st day of February, 1848.

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

Our gracious Sovereign having been pleased to appoint me to the Government of this Island, I have much satisfaction in meeting you in your Legislative capacity at this early period after my arrival, and I avail myself of the first opportunity of communicating to you my earnest desire to administer the Government upon those just and impartial principles, which, whilst they will give me a claim to public confidence, will enable me, with your assistance, to contribute to the happiness and prosperity of this interesting and thriving Colony.

It devolves upon me now to submit for your consideration several matters of much importance to the present and future welfare of the Colony. Among the most pressing of these, is the state of the Island Currency, a wholesome reform of which is urgently required. To assist your deliberations in effecting this desirable object, I shall direct to be laid before you the views entertained by Her Majesty's Principal Secretary of State for the Colonies, both as to the cause of the present state of the Currency and its proposed remedy. To these views I must claim your serious and earnest attention.

The future management of the Post Office in the British North American Provinces will also occupy a prominent position in your deliberations, Her Majesty's Post Master General being prepared to surrender to the Provincial Authorities the control of this department, so soon as by concert between the several Legislatures, arrangements shall be matured for securing the advantages of an efficient and uniform system—the several communications upon this important question, together with the able Report of the Commissioners appointed by the Provinces of Canada, Nova Scotia and New Brunswick, shall be laid before you.

The unfortunate sickness and distress which prevailed among the Emigrants from Ireland last year, has induced Her Majesty's Government to propose to the several Provincial Legislatures the enactment of a law to afford additional security against the recurrence of similar misfortunes. The views of Her Majesty's Government, as communicated to the Right Honorable the Earl of Elgin, will be submitted for your information and guidance.

A revision of the Laws regulating Elections, is also a matter well deserving your attention, and I would recommend for your consideration, whether a law upon the same principle as that which was lately passed in the Province of Nova Scotia, and which is also in force in the Province of New Brunswick, might not be adopted with advantage in this Colony.

I will communicate to you, by Message, such other matters, affecting the general interests of the Island, as it may be deemed necessary to bring under your consideration during the Session.

It will be gratifying to you to learn the prosperous state of the Revenue for the past year. Although burdened with an unforeseen and extraordinary expenditure, exceeding £3000, in providing Seed Grain for the necessitous settlers at the commencement of the season, and in supporting the sick and destitute Emigrants, it will still be found to exhibit a considerable surplus, beyond the charges of the year. Encouraging as this favourable state of the Revenue appears, I must press upon you the necessity of exercising the strictest economy in its disposition, by a systematic perseverance in which we may hope to relieve the Colony from its existing liabilities,

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

I shall order the Public Accounts to be submitted to you without delay; the classification which has been made by the Auditors, as suggested by the House of Assembly in the last Session, will prove a saving of time and labor, by affording facilities for their examination.

The Estimates for the Supplies for the current year will also be laid before you, and I have every confidence that you will grant the necessary provision for the Public Service.

As the Act for levying an Assessment on all Lands in the Island, will shortly expire, it will be for you to consider, whether, in the present circumstances of the Island, it will not be advisable to continue this Act, or even to raise a larger proportion of the Colonial Revenue from this source, so as to enable you to reduce other Duties, with a view to the encouragement of the trade of the Colony.

I would however suggest for your consideration, whether it will be expedient to continue the distinction between improved and unimproved Lands.