

REPORT,

OF COMMISSIONERS IN THE DISPUTE BETWEEN THE TOWNSHIP OF PICTOU, AND G. MCKENZIE AND J. GEDDIE, AS OVERSEERS OF POOR.

HAVING been appointed at a Meeting of the Inhabitants of the Township of Pictou, to examine into, and report upon, the claims of sundry individuals against the Township, originating by George McKenzie and John Geddie, in the capacity of Overseers of Poor; we met in pursuance of said Commission, and had the following accounts presented to us and substantiated, viz't:

John Graham	- - -	£ 9	1	9
Joseph Richards	- - -	1	0	0
Robert McLean	- - -	1	13	0
Doctor Landesberg	- - -	2	15	0
John Kerr	- - -	10	10	0
John Taylor	- - -	6	14	8
Mrs. Livingston	- - -	5	13	10 1-2
Henry Hutton	- - -	6	0	0
John McMillan	- - -	0	13	0
John Maxwell,	debt £ 32	8	1	
	costs	17	1	3
		49	9	7
Doctor Martin,	debt £ 20	0	0	
	costs	8	7	10
		28	7	10
Hugh Monro	- - -	3	11	2
Henry Blackadar	- - -	3	13	2
Roderick McKenzie	- - -	2	16	8
Abram Patterson	- - -	3	19	4
Mrs. McKinnon	- - -	6	4	3
Arbitrators, viz: Grant & Murray	} 17	5	0	
£6 each, and J. McKay	£ 5	5	0	
Charles Fraser	- - -	2	10	0
James McLean	- - -	2	0	0
		164	18	3 1-2

These Accounts amount to one hundred and sixty-four pounds eighteen shillings and three pence half penny, which sum we declare to be justly due by the Township.

Doctor Martin having brought an action against McKenzie and Geddie, for the amount due to him for medical attendances, obtained a judgment, and placed the parties in Jail. It appears that a number of benevolent individuals came forward, and relieved them from this responsibility, trusting to the Township for the reimbursement of the sum advanced, as soon as it could possibly be raised: that sum therefore is as justly due by the Township as any of the others.

The Meeting which constituted us Commissioners in the business, withheld from us the power to investigate any accounts embodied in the report of a former arbitration, and the foregoing sums are not included in the account, stated by said Arbitrators, between the Township and the Overseers. We have, however, had access to that account, and the materials from which it has been composed, and think, that, in some instances, it has been drawn up in more accordance with legal principles, than we should have considered it necessary to have governed ourselves by, had the matter been submitted to us; for instance, the Overseers, not having a knowledge of law, have expended monies which have not been allowed them, because the expenditure was not legal. Now it can scarcely be expected, that the persons who are appointed to, and compelled to accept, the office of Overseer of Poor, can have that knowledge of law, which is necessary for the strictly legal performance of the duties attached to that situation, and, in such cases as the present, we think the *motus* of expenditure should have more weight with Arbitrators than strict legality.

There is, however one sum struck out of the account by the former Arbitrators, which we cannot refrain from submitting again to the Township.

The Overseers in question held the office for five years. The first year the Arbitrators allowed them £5 12 7 as a remuneration. The second year £12 was voted to them at the Township Meeting, and the Arbitrators allowed £12 12 6. The third year £15 was voted by the Township, and allowed by the Arbitrators. For the last two years of their service, nothing has been allowed, because no record of a vote of

any sum can be found; but we are fully of opinion that the Township is in justice bound to pay the over-seers thirty pounds for the two last years; because they were entitled to expect a continued remuneration if the public continued them in the office, without notice of the withdrawal of the allowance; and we are the more constrained to urge this matter on the favourable consideration of the Township, from the circumstance, before alluded to, of the overseers having actually paid several sums which have not been allowed them by the Arbitrators.

JOHN MCLEAN,
ANTHONY SMITH,
JAMES PRIMROSE.

Pictou, 10th February, 1856.

PROCEEDINGS OF THE PUBLIC MEETING.

At a Public Meeting of the Freeholders and other inhabitants of the District of Pictou, held in the Court House in the town of Pictou, on Wednesday the 10th day of February, inst., agreeably to the Public Notice given by John W. Harris, Esquire, Deputy Sheriff of this District, calling the said meeting for the purpose of presenting to His Majesty and His Council, an humble Address on the subject of the Bill recently passed by the several branches of the Provincial Parliament, entitled "An act for the division of the County of Halifax, and for the regulation of the representation thereof, and from which the Royal Assent has been withheld, in consequence of a Petition from several individuals, residing in Annapolis, having been transmitted to the Colonial Office.

Whereupon, it was moved by Henry Blackadar, seconded by John W. Harris, that David Crichton, Esq. be Chairman to preside over this Meeting.

Moved by Robert McKay, Esq., seconded by Mr James D. B. Fraser, and unanimously

Resolved—That the Provincial Legislature of Nova Scotia is the proper and constitutional guardian of the public rights, privileges, and interests of its inhabitants. Holding this opinion, this Meeting learning with surprise, not unmingled with indignation, that a Bill passed by the Council and Assembly, giving an increased Representation to the County of Halifax, and providing for the division of the same, has had His Majesty's assent withheld therefrom, in consequence of a Petition from Br'geton, surreptitiously conveyed to the Colonial Office, deem it a bounden duty to repudiate such a proceeding, and to petition His Majesty and His Council, to grant to the Act of the local Legislature referred to, that consent which will give to this district, a portion of its just rights.

[Here the following Petition was introduced and read]

To the King's most excellent Majesty, and the Rt Honble. His Privy Council,

The Memorial of His Majesty's loyal and dutiful subjects, Freeholders of the District of Pictou, in the Province of Nova Scotia, at a public meeting assembled in the Court House, in the Town of Pictou,

Most humbly Representeth—

That your Majesty's loyal subjects residing in this portion of the Province of Nova Scotia, have, for the last five sessions of the Provincial Parliament, been soliciting at their hands the passing of an Act, which would entitle your Memorialists to a participation in the Representation of the country.

That the justice of this request becomes yearly, more evident, from the growing importance of this District, the extent of its population, the rapid increase of its foreign and colonial trade, together with its great mineral resources, which are equalled by no part of these, your Majesty's Colonial possessions.

In order, therefore to shew to your Majesty and the Members composing your Right Honourable Council, the Geographical situation of this District, and the important light in which the same is viewed in comparison with any other part of the Province, your humble Memorialists would beseech permission to quote from the only Provincial History extant, and one which for its talent and accuracy secured to the author, now Mr Justice Haliburton, a public vote of thanks from the House of Assembly. That writer, in speaking of this flourishing District, remarks— "The fertility of the land its proximity to the Fisheries, its Coal and other mineral productions, naturally lead to the conclusion that it will, at no distant period, be the seat of enterprise and wealth. The Harbour of Pictou is admirably situated, for becoming the imporium of the trade of the Gulf of St. Lawrence, and is already the centre of enterprise in that part of the Province. Between the Bay of Verte and the Gut of Canoe it occupies a central position; and from the latter place to Quebec, although there are several Harbours, both sheltered

and commodious, it is not surpassed by any, either in facility of entrance, good anchorage, or general safety. The great coal fields contained in the District, and accessible only by the waters which flow into its harbour, mark it as the first part where the forest is likely to disappear; and also as the site of extensive manufacturing establishments. When considered in reference to the coast, to Halifax, Quebec, Cape Breton, and Prince Edward Island, it is also equally evident, that the abundance of fuel will render it the centre of steam navigation. There is but one point in which it is inferior to Halifax, the harbour is much oftener frozen over in winter; but even in despite of this serious inconvenience, it is more likely to become the rival of the Capital, than any other sea port in the Province." And your humble Memorialists are happy, in being enabled to inform your Majesty and your Right Honourable Board, that, in the short space of seven years since this publication, the predictions of the author have been generally fulfilled, for the mineral resources have induced the introduction of steam, and caused the establishment of manufactories—now in active operation.

Possessing, therefore, such powerful reasons for the acceding to the wishes of your humble Memorialists, the Provincial Parliament, did, during its last session, pass an act dividing the County of Halifax, and regulating its Representation; by which your Memorialists were entitled to return to the House of Assembly, one Town and two County Members; a number which, even then, your Memorialists viewed as disproportioned to every other part of the Province, possessing equal extent of means. Your Memorialists were, however, willing to be content with that number, rather than remain without any voice in the Legislative Councils of the country; and your humble Memorialists, with that becoming loyalty and respect which have ever characterised your Majesty's dutiful subjects in this Province, cannot but express their undivided opinion, that, a further withholding from your Memorialists even this portion of Representation would be denying to your loyal subjects in this District, a right secured to them by the Constitution, enjoyed by all other sections of the Province, and, for the protection of which, your humble Memorialists have ever been taught to look with confidence to that Government under which they have the happiness to live. With the confidence which an Act of the two Branches of the Legislature, assented to by the Representative of Royalty, was calculated to create, and knowing that the Representatives of the Province were fully conversant with all the local circumstances and rights of your Majesty's dutiful subjects in this District, and were the proper judges of the justice of the application thus made to them—they concluded that the period had arrived, which secured to your Memorialists an opportunity of enjoying with others a common privilege: but your humble Memorialists cannot approach your Majesty, and your honorable Board, without expressing their deep regret and surprise, that your Majesty's Royal Assent has been withheld from that Act in consequence of a Petition from Annapolis—a remote part of this Province; and against whose interests and rights, the Bill in question could not prove prejudicial; a precedent which, if tolerated, would render your Majesty's Council and House of Assembly, in this your loyal Province, in a great measure inefficient and powerless, and open a wide door for complaints and remonstrances to your Majesty's Government, frequently dictated by sectional divisions and local jealousies.

But notwithstanding, your humble Memorialists look to your Majesty, and the Honourable Board by which you are surrounded, with a strong confidence; emanating from a conviction, that they are approaching a paternal monarch, and seeking from him his Royal assent to a measure, which will only place your humble Memorialists in some degree on a footing with others of your Majesty's subjects. If it were necessary to show to your Majesty and your Honourable Board, the injustice of the request thus made by the Petitioners from Annapolis, and the great disproportion of the privileges enjoyed by one over that of the other, although not warranted by their resources: Your humble Memorialists would solicit your Majesty's gracious consideration to the following facts, gathered from statistical statements published by authority. By these documents (among which is the last census taken by the authority of government) it will appear, that almost every part of your Majesty's Province of Nova Scotia is provided with some degree of Representation in the Provincial Parliament, adequate to their means, excepting the District of Pictou, and in no respect can the inhabitants of Annapolis complain, when, with a population of 14,661 souls, and cultivated territory of 22,174 acres, they are privileged to return to the General Assembly five members, that is to say, two for the County of Annapolis, and one for each of the following Townships, comprized within its limits, viz: Annapolis, Grandville, and Digby. That in order to shew to your Majesty and