

The order of the day being read,

The house proceeded to the consideration of the resolution respecting the reciprocity treaty, moved yesterday.

And after some time occupied in debate thereon,

Ordered, That the house do to-morrow resume the consideration thereof.

Order of day.

Consideration of reciprocity treaty resolution.

Further order.

Then the house adjourned until to-morrow, at twelve of the clock.

FRIDAY, 8th DECEMBER, 1854.

PRAYERS.

The honorable the provincial secretary, by command of his excellency the lieutenant governor, presented to the house, certain despatches and papers relating to the fisheries and reciprocity treaty, being in continuation of the correspondence submitted to the house on the 4th December instant—and the same were read by the clerk.

Further reciprocity papers presented

(See appendix No. 1—part 2.)

Ordered, That the papers do lie on the table.

The order of the day being read,

Order of day

The house proceeded to the further consideration of the resolution respecting the reciprocity treaty, and the usual question being propounded from the chair, that such resolution be agreed to by the house,

Further consideration of resolution.

Mr. Wilkins moved that such resolution be amended, by leaving out all the words thereof after the word “whereas,” and in place of the words so left out inserting the following words:

Amendment moved.

“The inshore fisheries constitute an invaluable property of the people of this colony, whose exclusive right thereto has not only been frequently asserted by this house, but has been expressly acknowledged by the British government, and is especially recognized in the opinion of the crown officers to whom the subject was referred, which opinion is recorded in the following terms, that is to say: ‘Even if the imperial act 59 Geo. III., chap. 38, should be insufficient to give her majesty power to impose all or any of the rules and regulations in question, (a question which we need not now consider,) the authority of the local legislature appears to us to be sufficient to make them valid in effect, by its express legislative enactment of them. The authority of the local legislature extends like that of the imperial parliament, over the space of three miles of the high seas next the coast which is by the comity of nations part of the country to which it is adjacent; and we are of opinion that upon this general principle, and irrespective of the convention, the imperial statute or the regulations of the sovereign in council, the colonial legislature was legally entitled to legislate as it has done relative to the fisheries, and its enactments are valid and binding:’

Amendment.

And whereas the enactments referred to as valid and binding are now in full force, and cannot be constitutionally repealed by any other authority than that whereby they were enacted:

And whereas it appears that a treaty has been concluded between her majesty the queen and the American republic, whereby a privilege has been conceded to the fishermen of the United States, not only to participate in the said fisheries, in open violation and contravention of the said enactments, but also to land upon the shores of the province for the purpose of curing their fish, in negotiating which the people of Nova Scotia have been in no manner consulted:

And whereas by an address of this house on the 17th day of February, 1853, her majesty the queen was humbly solicited to enter into no treaty whereby participation in the fisheries should