

any of the statements made when the subject was previously debated. Mr. Fraser had not made charges against any Consul, but his movement had altogether been in opposition to the principle; and if alterations had been made, which rendered the fees at various ports unequal, the House should be made acquainted with the fact. Hon. Mr. Johnston thought it would be well to have the letter go upon the appendix to the journals as the forerunner of the information we require. He thought an address should be initiated, asking distinctly and specifically for the information required. Mr. Whitman said the object he had in view was to relieve the shipping of the country from this oppressive tax.

## EXPLANATION.

Mr. Fulton rose for the purpose of contradicting a statement made in some of the papers of the day, which made use of his name as being leagued with a party that had numerous meetings and thorough consultation—the result being the introduction of the petition and Bill by his hon. colleague for incorporating a Railway Company. I am happy to be in a position to give this statement a flat denial—to deny that the introduction of that petition was the result of any party meeting that I am aware of—and I speak in the hearing of the hon. member for Annapolis, when I say that I did not consult even that gentleman upon the petition. My hon. colleague introduced his Bill on his own responsibility, and without any desire to obstruct the Government, or to do aught that would not advance the Railway. The vote we gave early in the Session, should have protected us from the imputations I refer to. But we thought, after the arrival of the last steamer, that it was time we had some information as to the success or failure of the delegate; and there was no disposition to press this Bill until the government had ample time to mature any measure they were disposed to introduce. It is true I stated on Monday that it was desirable to have some discussion on the matter before the steamer left; and I was desirous that an opinion should be expressed to place the negotiations of the delegate on a sound footing; for it would be excessively awkward, if the terms offered by Mr. Howe were afterwards rejected by this House. I give the best proof of my sincerity to aid the government in any exertion to promote this great undertaking, by stating that I am willing to wait for a measure from them, until after the arrival of the next steamer from England—but no longer.

A long discussion here took place carried on by Hon. J. W. Johnston, Hon. Attorney General, Hon. G. R. Young, and Mr. Dickie, respecting the misrepresentations of the political press—which we need not insert.

On the subject of the Railway Bill, Mr. Dickie said—When I came to the house this Session—I pressed upon the hon. Attorney General to take some action. He told me the bill was in progress—and I believe he was the gentleman who was to introduce—but I did not wish to press the matter forward without having all necessary information laid before us. The bill has been introduced not by the hon. Attorney General—but by myself as framed by a member of the Executive Committee at the Portland delegation; it has been sent to Maine and New Brunswick, for I wished to show our friends in those places that we were not supine and indifferent to the progress of this great work; I wished them to see that under any circumstances it was our determination not to let another session slip by without taking action in this matter. I assert again, that however this Railway be undertaken it will at all hazards receive my cordial support—and conclude by moving that this bill be taken up as soon after the arrival of the next packet as possible.

Mr. Henry gave notice that instead of moving the second reading of the Bill, for repealing the Grant to King's College, to-day, he should postpone it till next week, as he supposed, judging from past experience, there would be some opposition. Wednesday was fixed for the discussion of the College Bill.

Several Petitions were presented during the day. A demand was made on the government by the Hon. Mr. Johnston for copies of despatches that had passed with Her Majesty's Ministers on the subject of Elective Councils. After a lengthy discussion, the motion was negatived. The House adjourned.

SATURDAY, Feb. 15, 1851.

## PETITIONS.

Several petitions were presented. We give the most important.—Mr. Freeman presented a petition signed by between 40 or 50 persons residing at Hant's Point and White Point in Queen's County, complaining that the chief inspector of pickled fish for that county had refused and neglected to appoint deputies in those districts, by which those interested in the fisheries were put to serious inconvenience and loss of time. (This petition was referred to members of the government for enquiry.) Hon. G. R. Young presented a petition from W. H. Buckenfield, and others, with reference to some plan of emigration—referred to Messrs. Young, Fulton, Attorney General, and Marshall. Mr. Snow presented a petition from Ragged Islands for another Mail between Halifax and Shelburne; and another for a

Light House at the entrance of Ragged Island, which were referred to the proper committees. Mr. Dickie asked leave to present a petition from A. Munro asking aid towards the printing of a book for the use of schools; received and referred to the Committee upon Education. Mr. Mott asked leave to present three petitions from Musquodoboit; one of which was in favour and two opposed to the extension of a Mail route; leave was granted and the petitions referred to the Post Office committee. Hon. G. R. Young asked leave to present a petition from the directors of the Pictou Electric Telegraph Company, asking two-thirds the profits of the line from Truro to Pictou, and the services of the operator free. He also laid on the table a statement of the receipts and disbursements of the Company since its establishment—referred to the committee upon that subject.

## POST MASTER, LUNENBURGH.

Hon. J. W. Johnston asked the members of the Government to lay on the table of the House the correspondence between John Heckman, Esq., and others, and members of the Executive Government, on the recent appointment of a Post Master at Lunenburg, and the correspondence between the same parties and the Post Master General on the same subject.

## SCHOOL LANDS.

Mr. Dimock presented a petition, numerously signed, from the inhabitants of Newport, on the subject of School Lands. The petition was read. It made complaints of the trust under which the school lands were held in that township. Mr. Fraser supported the claims of petitioners, but thought the petition had better be laid upon the table, and action might be taken upon it when the Commissioners to be appointed under the bill took up the general subject. The petition was laid on the table.

## OFFICIAL PAPERS.

Hon. Attorney General laid on the table the Blue Book for 1845. Also, the Return (requested by Mr. Mignowitz) of all persons confined in the Jail at Halifax during the last five years, with the time each individual was in prison, the amount of fees paid by each, etc. After some remarks from Mr. Henry, the discussion of the Windsor College Bill was postponed until Wednesday next—and the hon. Mr. Johnston's Elective Legislative Council Resolutions were made the order of the day for Thursday.

## MAGISTRATE'S COURT.

Mr. Harrington said there seemed to exist a great necessity for extending the jurisdiction of the Justices of the Peace, and he was desirous to call the attention of the House to it, now that the law was undergoing revision. He was of opinion that the magistracy must soon be formed into County Courts with higher and more extensive jurisdiction, if the protection of the law was to be placed within the reach of the people—of the working classes. He would therefore move that the house resolve itself into committee in order to incorporate the following in the Revised Statutes.

Be it enacted that in any case of Trover or Trespass, whether to lands, the person, or personal property, where the whole damages claimed, shall not exceed the sum of five pounds, an action therefor, may be brought before any two of Her Majesty's Justices of the Peace in a summary manner, as is now prescribed for the collection of debts and the justices shall issue their summonses briefly stated therein—"For Trover," or "For Trespass," as the case may be; with a general description of the injury or property for which damages are sought, and the justices may give judgment for the trial or otherwise for any sum not exceeding five pounds for damages exclusive of costs provided that either party shall have a jury if demanded, and all proceedings in such suit shall be subject to the same regulations that are now provided for the recovery of debts before Justices of the Peace, except that no writ of capias shall be allowed for any demand for Trover or Trespass.

2. No action shall be commenced in any other Court, pending a suit for the same cause of Action before Justices of the Peace, and a judgment under this Act may be pleaded as bad in any other Court.

Hon. Mr. Johnston said, the argument of the hon. gentleman would be quite convincing if the jurisdiction could be changed. As it was he was unwilling to engraft his resolution upon the present law. After remarks from Messrs. Henry, Hall, Doyle and others, Mr. Harrington said he would not insist on giving the right to try title to the Justices; but could see no reason why Magistrates should not be permitted to take evidence upon a deed or other speciality. He agreed, however, to let the question stand over for future discussion.

## CONSOLIDATION OF THE LAWS.

The House went into committee on the Revised Statutes—and took up the chapter relating to Coal Mines. The Hon. Speaker said the clause to which he wished the attention of the house directed, was this:—"Persons convicted of opening of digging any mine, vein, or seam of coal, &c., shall forfeit a sum not less than £25." The legal effect of this clause is, that any man digging a bushel of Coal upon his land may be prosecuted and fined £25. He wished to restrict

the law, and prevent it operating against any party, digging coal upon his own ground, for his own use. After a lengthy discussion—on motion to strike the clause out, the Bill was then put and carried in the affirmative—19 to 16. On motion of Mr. Henry, the other two clauses were struck out. The Committee adjourned and reported. Report confirmed by the House, which then adjourned until 1 o'clock on Monday.

MONDAY, February 17.

## COMMITTEE OF SUPPLY.

The house went into Committee of supply and passed some of the usual annual grants, for salaries of officers of the house, &c.

## PETITIONS AND BILLS.

Mr. Munro asked leave to present a Bill to incorporate the Trustees of Saint Andrew Free Church, Sydney; leave granted and the Bill read a first time. The house went into Committee upon the Revised Statutes and passed a number of Statutes; the house resumed. Mr. Hall asked leave to present a petition from the Cornwallis Agricultural Society, and others, praying a reform standard of weights and measures; received and referred to Committee upon Agriculture. Hon. Attorney General asked leave to present a petition from E. Jost and other Bakers of Halifax, praying the imposition of a duty on all imported Biscuit, referred to committee on trade and manufactures. Also a petition from James Whitney, St. John's, N. B., praying for remuneration for carriage of Mails between Digby and St. John; referred to Post Office committee.

TUESDAY, Feby. 18, 1851.

Four chapters of the revised statutes were read a third time.

Mr. Mott asked leave to present a petition from a number of the inhabitants of Dartmouth, Lessees of the Common, praying for the passage of an act to enable the Trustees to expend a portion of the rent derived, in the repair of cross-roads—received and laid on the table. Leave was given to bring in a bill in accordance with the prayer of the petition. Mr. Bent presented a petition from James Fullerton and others—laid on the table. Also—a petition from Brown, Harris, and others, asking an extension of the franchise—laid on the table. Mr. Smith asked leave to present a petition from George C. Lawrence, for an alteration of Sheriff's Fees—referred to a committee of the whole house. Mr. Mignowitz rose to present a petition from the County of Lunenburg, of no ordinary kind.—It asks a special grant from the house to open up a road at Sandy Cove, in order that Ministers of the Gospel may be enabled to visit them.—After some further discussion the petition was referred to the members of the county. Mr. Dickie presented a petition from a number of persons asking the division of Cumberland into Districts, and four members instead of three—the petition was read and referred to a select committee, composed of Messrs. Hall, Whitman, and Young. Mr. Fulton presented three petitions numerously signed upon the same subject—referred to the same committee. Mr. Harrington presented a petition from Decarter Lovewell, Lenoir, and others, shipowners, numerously signed,—complaining of the exaction of British Consuls, in foreign posts—with a letter from Simon Laundry, shipowner, showing the oppressive fees exacted at New York, which was read—referred to committee on Consul's fees.

## HALIFAX, VS. "CHEBUETO."

Hon. Mr. Doyle rose to present a petition from one of the oldest—he might add, one of the ablest members of the Public Press in this city, setting forth the frequent errors that had occurred by reason of other places being designated Halifax, as well as this city; and praying that the name might be changed to its original and native name—"Chebucto." The petition was read and laid on the table.

Mr. Marshall presented a petition asking for a further survey for a railway route in Nova Scotia. Also, a petition the prayer of which he hoped would be granted.—The petition being read, set forth that the petitioner Thomas Dickson, Esq., collector of Excise at Pictou, had by misfortunes suffered great loss—that he had given over all the residue of his property to aid in paying his debt to the province—but that a balance of £735 0s. 5d., still remained, of which he petitioned to be relieved.—The petition was referred to Messrs. Marshall, Mignowitz, Killam, Creelman and Henry, to report thereon.

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## Summary of News.

BY THE R. M. STEAMER.

The R M Steamer *Europa*, from Liverpool, arrived at this Port on Wednesday evening last, about seven o'clock. We give below the most interesting items of News:

In trade no change had taken place. Corn market dull. Flour is quoted at 18s to 23s. per bbl., and Indian Meal at 14s. 6d to 15s.

The Political news is interesting. The government have narrowly escaped a defeat on a question of the first importance—a motion by Mr. Disraeli to bring under consideration the whole taxation of the country with reference to the agricultural interests. The depression into which the

farming interest has sunk by Free Trade legislation was even referred to in the royal speech, and the cries for redress are loud throughout the land; and when a division was pressed on the motion—whether it was not the duty of the minister to bring forward some measure to remedy the distress—in a house of 543 members, the Government had only a majority of fourteen! This (says a journal) is the most significant event which has occurred since the introduction of Free Trade.

The debate on Lord John Russell's bill, relative to the new Hierarchy, was carried by a sweeping majority—395 to 63. It is said that the country is by no means satisfied with the Government scheme; those who were against the aggression assert that it is quite inadequate to meet the case.

The law for the suppression of the titles is to be applied equally to Ireland as well as Great Britain. The Bishops assuming the new titles are to be subjected to a fine of £100, and all bequests made to parties claiming such titles are to be forfeited to the Crown.

An injunction has been granted against Cardinal Wiseman not to draw £7000, under a disputed will without leave of the Chancellor.

In the House of Lords, on Friday, Feb. 14, the day immediately preceding that on which the steamer sailed—

Lord Monmouth presented a petition from the province of New Brunswick, soliciting parliamentary aid for establishing railways in British North America. His lordship supported the prayer at considerable length, urging the necessity of the measure considered merely as one of state policy.

Lord Stansley also supported the prayer of the petition on the same grounds.

Earl Grey said the subject was under the consideration of Government, and that as soon as a decision was arrived at, it would be communicated to the colonies.

Charles Gill, jr., was charged to-day at Bow-street with threatening the life of Lord John Russell. The prisoner seemed in a very unsettled state of mind, and his letter contained a mixture of threats and nonsense. He declared he wished to injure the Premier, but only desired the publication of his letter. The magistrates bound the prisoner over in his own recognizance of £100, and two sureties of £50 each, for his good conduct for twelve months, or in default, to be committed for twelve months. The prisoner was removed.

Tuesday's *Gazette* contains the announcement that Lord Palmerston has received an official notification from the Ottoman Minister for Foreign Affairs, dated 18th of January last, of the blockade of all the ports and coast of Samoa by the naval force of his Imperial Majesty the Sultan; such blockade to commence 30 days after the said 18th of January.

The Pope claims from the British Cabinet for the use of his church 1000 square miles of territory in Canada, heretofore the estate of the Jesuits.

A subscription has been set on foot to raise a "Nineveh Fund," to enable Mr. Layard to prosecute his researches—the funds provided by the British Government being exhausted. Prince Albert, the Earl of Ellesmere, and Sir J. Guest, have each subscribed £10.

The *Banner of Ulster* states that considerable excitement has been produced in the linen trade by the circumstance that a number of the leading commission houses have so altered their rates of discount on yarns as to cause an advance of fully 3d. per bundle on nearly all numbers.

A few days ago we asked in what manner had the Colonial Office entertained the measures submitted to them by the agent from Nova Scotia? We are glad to have it to announce, on good authority, that the whole case of that colony has only been brought under Lord Grey's notice, by the Hon. Joseph Howe, within the last fortnight; that it embraces several questions of great importance; and that it is now under consideration with every prospect of a favourable result.

London Post.

The breach between Louis Napoleon and the Assembly is every hour becoming wider. The Dotation Bill has been rejected. The President declines a national subscription in provision of the rejection of a Bill on the expenses of representation, which has taken place.

The *Monitor* publishes a decree that a census shall be taken of the population of France.

It further announces that a British force has blockaded the port of the Union in the State of St. Salvador.

A squadron of the vessels commanded by Admiral Montagu de la Roque sailed from Brest on the 7th inst. Its destination was unknown.

The occupation of Friedrichsfort by the Danes has not taken place. Prussia opposes the occupation by the Danish troops of the citadel of Rendsburg. The Austrian regiment of Schwarzenburg infantry and two battalions of Prussian troops entered Hamburg on the 7th inst. Part of the Austrian troops at Lubec have marched upon Rendsburg. Their general has published an order exhorting the soldiers under his command to treat and to consider the Holsteiners not as enemies and rebels, but as brethren.

The ministerial papers protest that the Prussian Government has positively refused to negotiate on the basis of the Austrian proposal of a Customs union. A declaration to this effect has been made at Dresden.

The *Allgemeine Zeitung* states from Frankfurt that Prussia has entered another preemptory protest against the plan of a popular representation in the Confederation.

The Pope has become greatly alarmed at the state of things in France, and has requested that the French garrison may be altogether withdrawn from Rome.