

SATURDAY, 4th FEBRUARY, 1837.

viz:—Mr. J. Sargent, Mr. Goudge, Mr. Elder, Mr. Allison, Mr. Annand, Mr. Holdsworth, and Mr. Holmes; and thereupon, those seven Members last named, together with Mr. J. Young and Mr. Dodd, so nominated by the parties as aforesaid, were duly sworn by the Clerk, at the Table of the House, “well and truly to try the merits of the Petition referred to them, and a true judgment to give according to the evidence” pursuant to the provisions of the Statute.

Com. sworn

*Ordered*, That the said Select Committee so formed, do meet on Monday Morning next, the 6th inst. in the Committee Room of this House, in which the Supreme Court usually sit, for the purpose of hearing and determining the merits of the Election and Return of Mr. Dickey, taken this day into consideration.

Order for meeting of Committee

*Ordered*, That the Petitions of Thomas Logan, and of Luther Lusby and others, be referred to the said Select Committee.

Order for Reference of Petitions to Committee

Mr. Elder, Chairman of the Select Committee, appointed to try and determine the merits of the Petition, against the return of Mr. Thorne, as a Member for the Township of Granville, reported that the Committee had directed him to ask the leave of this House to adjourn their sitting until Wednesday next, at half past ten of the clock; and thereupon,

*Ordered*, That the said Committee have leave accordingly.

At three of the clock, (being the time appointed for considering the Petitions of Joseph Fitz Randolph, and of David Morse and others, against the Election and Return of Mr. Whitman, the sitting Member for the Township of Annapolis,) the Serjeant at Arms was directed to go to the places adjacent, and require the immediate attendance of the Members on the business of the House, who, having returned, and reported that he had so done, the House was counted, and forty-five Members being present, (exclusive of Mr. Speaker, and Mr. Whitman, the sitting Member,) and all other previous measures prescribed by the Act of the General Assembly, made and passed in the first and second year of the Reign of His late Majesty, entitled “An Act to regulate the Trials of Controverted Elections, or Returns of Members to serve in the House of Assembly of this Province, having been taken, and the Petitioner, Joseph Fitz Randolph, and the Counsel for the Petitioners; and also, the sitting Member and his Counsel, being in attendance at the Bar of the House, the doors of the House were locked, and the Order of the Day for considering said Petitions, was read; whereupon, the House proceeded to ballot for a Select Committee, to try the merits of the Election and Return of Elnathan Whitman, Esquire, a Member for the Township of Annapolis, in the manner prescribed by said Act, when the following names of fifteen Members present (against whose Return no Petition was depending, and who did not appear to have voted at said Election,) were drawn, viz:—Mr. W. Young, Mr. Benjamin, Mr. J. Young, Mr. Goudge, Mr. DesBarres, Mr. Clements, Mr. Doyle, Mr. Forrester, Mr. Uniacke, Mr. Fairbanks, Mr. McDonald, Mr. Annand, Mr. Bell, Mr. Allison and Mr. Holmes; and thereupon, Mr. W. Young offered, and verified, under oath, an excuse for not serving on said Committee, and the substance of his allegations so made in excuse, being taken down by the Clerk, is as follows:—“I, William Young, Member for the County of Juste-au-Corps, being drawn on the Select Committee, for trying the merits of the Petitions, against the Election and Return of Elnathan Whitman, Esquire, for the Township of Annapolis, do, on oath, offer, as an excuse for not serving on such Committee, that my brother and partner in business, George R. Young, Esq. is Counsel for the sitting Member.” Whereupon, Mr. Speaker took the sense of the House, whether Mr. W. Young should be excused from serving upon the said Select Committee; and it being resolved in the affirmative—he was excused accordingly; the name of Mr. Morton was then drawn, to supply the place of Mr. William Young, so excused; and thereupon, Mr. Howe was named by the Counsel of the Petitioners, to be added to those so chosen by lot, and Mr. Dodd was named by the Counsel for the sitting Member, to be likewise added thereto, and lists of the fifteen Members so chosen by lot, were given to the respective Counsel, of the Petitioners and sitting Member, who then withdrew with the Assistant Clerk, in order to reduce the said number to seven in the manner prescribed by said Act.

Consideration of Annapolis County Election

Balloting.

Mr W. Young excused

Parties withdraw to strike Committee

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