

SATURDAY and MONDAY, 9th and 11th FEBRUARY, 1833.

In your Honor's long and intimate acquaintance with this Province, and closely united as you are with it in interest and feelings, the House of Assembly possess the assurance of your desire and anxiety to promote, in your present high office, the true interests and consequent prosperity of the people. We are gratified that the absence of His Excellency is supplied by a Gentleman possessing so many claims to our confidence; and we assure your Honor, that, in all measures connected with the public welfare, or tending to promote the happiness of that beloved Sovereign from whose regard neither time nor distance has removed the recollection of his loyal Subjects here, your Honor may at all times fully rely upon our ready and cordial co-operation.

Ordered, That the said Address be engrossed.

Resolved, That the said Address be presented to His Honor by the whole House.

Ordered, That the Committee who prepared the Address to His Honor the Administrator of the Government, be a Committee to wait on His Honor, to know his pleasure when he will be attended by the House.

Address to be presented by House

Committee to ascertain time to present Address

A Petition of Richard Smith, Esquire, (a Candidate at the late Election of a Member for the County of Cape-Breton,) with several Documents accompanying the same, was presented by Mr. Lawson, and read, complaining of the undue Election and Return of William Young, Esquire, as a Member for said County; also setting forth certain alleged riotous and illegal proceedings in regard to the said Election, and charging the Sheriff of said County with withholding from said Petitioner a Copy of the Poll Book, kept by the said Sheriff at said Election, and praying either that the Petitioner may be returned duly elected, in place of the said W. Young, or that the seat may be vacated, and other relief; one of said Documents, being a Deposition in relation to the said matters, was also read; and thereupon,

Petition of R. Smith against return of Mr. Young for Cape Breton

Mr. W. H. Roach moved, that no further Documents, presented with the said Petition of Richard Smith, be read to the House; which being seconded and put, and the House dividing thereon, there appeared for the motion eight; against it, twenty-five.

Motion not to read Documents with Petition, negatived

So it passed in the Negative.

The other remaining Documents, accompanying said Petition, were then read by the Clerk.

On motion of Mr. Lawson, *resolved*, that this House will, on Monday next, the 11th instant, at two of the clock in the afternoon, take into consideration the Petition of Richard Smith, Esquire, now before the House, complaining of an undue Election for the County of Cape-Breton.

Day for consideration of Petition of R. Smith

MEMORANDUM.—In pursuance of the Act to regulate the Trials of Controverted Elections or Returns of Members to serve in the House of Assembly of this Province, the like Notice, as in former Cases, were sent to the several Parties, with orders for their attendance, by themselves, their Counsel or Agents, at the time on which the said Petition was ordered to be taken into consideration.

Notices, &c. served on Parties

On motion of Mr. Stewart, *resolved*, that the Speaker of this House do immediately issue his Warrant, requiring the attendance of the High Sheriff of the County of Cape Breton, forthwith, at the Bar of this House, and that he be required there to produce the Original Poll Book, kept by him at the late Election, for the said County.

Speaker to issue Warrant for Sheriff of Cape-Breton to attend at Bar with Poll Book

Then the House adjourned until Monday next, at twelve of the clock.

Monday, 11th February, 1833.

PRAYERS.

Mr. Lawson reported from the Committee appointed to wait on His Honor the Administrator of the Government, to know his pleasure when he would receive the Address of the House, that the Committee had, pursuant to order, waited on His Honor, who was pleased to appoint this day, at half-past twelve of the clock, at Government House.

Report of time Administrator will receive Address