

**2d Session, 9th Parliament, 5th Geo: IV.**

**NAYS**—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That as these persons have become connected in all the relations of social and domestic life with the other inhabitants of the Province, have for so long a period been invariably considered as British subjects, and have contributed by their industry and good order to the tranquility and welfare, and by their bravery and loyalty, to the security and defence of the Province; to reverse, at this time, the said construction of the law with respect to them, would excite great dissatisfaction and alarm through the Province, and would tend to destroy all confidence in the security of civil rights and in the certainty of the laws in general.

The tenth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

**YEAS**—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Leflerty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

**NAYS**—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That as this construction of the law has, from the earliest settlement of this Province, been solemnly and repeatedly sanctioned by the practice of His Majesty's government, and by Acts of the Provincial Legislature, which although submitted to His Majesty's government in England, according to the provisions of the 31st of George the Third, chapter 31, have not been dissented to, it would be an unparalleled violation of honour and good faith on the part of His Majesty's government, and an act of manifest impolicy and injustice, to adopt a new and different construction, whereby they would be regarded as aliens.

The eleventh resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

**YEAS**—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, C. Jones, Leflerty, Lyons, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—23.

**NAYS**—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, D. Jones, J. Jones, Morris, and Van Koughnet—9.

The question was carried in the affirmative by a majority of fourteen, and it was Resolved—That during the present Session, His Excellency, the Lieutenant Governor, has, by message, informed the two Houses of the Provincial Parliament, that in consequence of the construction put upon the law in a recent decision by one of the Courts of Law in England, such persons would hereafter be exposed to the inconvenience of finding those rights denied, which they have hitherto enjoyed; and that in the persuasion that they might be safely received and acknowledged as subjects, with no other qualifications than those which the Legislature of this Province has from time to time thought it expedient to impose, and having earnestly pressed the subject upon the consideration of His Majesty's Government, has received His Majesty's express sanction to assent to an enactment which may afford relief to such persons, and has also been pleased to transmit an extract of a letter from the Right Hon. the Earl Bathurst, His Majesty's principal Secretary of State for the Colonies, containing the opinion of His Majesty's Government, that it would be advisable to secure to such persons the rights and privileges of British Subjects.

The twelfth resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

**YEAS**—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, C. Jones, Leflerty Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—22.

**NAYS**—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—10.

The question was carried in the affirmative by a majority of twelve, and it was Resolved—That a bill has been sent down to this House, from the honourable the Legislative Council, referring to said message, predicated upon the principle that such persons were aliens, and conferring upon them certain rights and privileges, but not, according to the obvious intention of His Majesty's Government, as expressed in said message and extract, all the rights and privileges of British subjects, to wit, the rights of voting at any Election of a member to serve in the House of Assembly—and of being elected at such election; which bill this House, after mature and solemn consideration of the law and justice of the case, has returned to the honourable the Legislative Council, with an amendment, by which it is declared and enacted, according to the former uniform construction of the law in this Province, that such persons have been, are, and shall be considered to be, to all intents and purposes, natural born British subjects.

The thirteenth resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

**YEAS**—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Leflerty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.

**NAYS**—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—11.

The question was carried in the affirmative by a majority of ten, and it was Resolved—That as it is uncertain whether such bill so amended will pass the other branches of the Legislature, and as it is the duty of this House, whenever the rights of the people may be in danger, to omit no precautions for their security, some further measures should be adopted to prevent this new and alarming construction of the law from being enforced, to the prejudice, terror, and disfranchisement of a large portion of the inhabitants of this Province, who have quietly and loyally confided in the security and certainty of the laws as uniformly construed and administered for more than thirty years, and in the honor, good faith, and paternal care of His Majesty's Government.

The fourteenth resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

**YEAS**—Messrs. Baby, Beasley, Bidwell, Burke, Clark, Fothergill, Hamilton, Hornor, Ingersol, C. Jones, Leflerty, Lyons, Matthews, McBride, McCall, McDonell, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—24.

**NAYS**—Messrs. Attorney General, Cameron, Crysler, Gordon, D. Jones, J. Jones, Morris, and Van Koughnet—8.

The question was carried in the affirmative by a majority of sixteen, and it was Resolved—That there are also in this Province various other persons, not natural born British subjects, who have not strictly complied with the provisions of those British statutes, under which they might have been entitled to the privileges of British subjects, and to whom, as their well known loyalty and good conduct satisfactorily prove, it would be not only safe, but just and expedient, according to the recommendation of His Majesty's Government, that all the rights and privileges of British subjects should be effectually secured.

The fifteenth resolution was then put, and the yeas and nays being taken, were as follows:

**YEAS**—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hornor, Hamilton, Ingersol, C. Jones, Leflerty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, Wilkinson, and White—22.

**NAYS**—Messrs. Attorney General, Burke, Cameron, Crysler, Gordon, D. Jones, J. Jones, McDonell, Morris, and Van Koughnet—10.

The question was carried in the affirmative by a majority of twelve, and it was Resolved—That this House, anxious to extend to such persons all the rights and privileges which the Provincial Legislature is authorised constitutionally to confer, has passed a bill to secure to all persons domiciled in this Province, all the rights and privileges of natural born British subjects, subject nevertheless to the qualifications imposed by the laws of this Province, with respect to the right of voting and being elected, and has sent the said bill to the honourable the Legislative Council.

The sixteenth resolution was then put, on which the House divided, and the yeas and nays being taken, were as follows:

**YEAS**—Messrs. Baby, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Ingersol, Leflerty, Lyons, Matthews, McBride, McCall, Perry, Playter, Randal, Rolph, Scollick, Thompson, White, and Wilkinson—21.