

TUESDAY, 5th FEBRUARY, 1828.

Subsequent to the 10th Geo. 3. and after it had been made perpetual, the 28th Geo. 3. ch. 52. was passed for further regulating these Trials,—and in the ninth Clause, it is enacted, that if the Petitioner or Petitioners “shall fail in certain steps directed to be taken, or neglect to renew their Petition within four sitting days after the commencement of every Session of the same Parliament, subsequent to that in which such Petition was first presented,”—the recognizance of the Petitioner shall be forfeit. This Clause appears to recognize a course of established practice in the House of Commons, for Petitioners to renew their Petitions at the commencement of every Session, until a decision was made thereon.

But the last Clause of the same Statute expressly provides and enacts, that whenever it shall happen, that Parliament shall be prorogued while any Select Committee shall be sitting for the trial of any such Petition as aforesaid, and before they shall have reported to the House their determination thereon, such Committee shall not be dissolved by such prorogation, but shall be thereby adjourned to twelve of the Clock on the day immediately following that on which Parliament shall meet for the Despatch of Business. And all former proceedings of the said Committee shall remain and continue to be of the same force and effect, as if Parliament had not been so prorogued,—and such Committee shall meet, &c.

The conclusion the Committee must draw from this Enactment, is, that if in England it was found necessary to provide, by Law, that a Prorogation should not dissolve a Committee on a contested Election, here in this Province, where a similar provision has not been made, the Dissolution of the Select Committee unavoidably followed the prorogation of this House at its last Session.

The Committee of Privileges therefore report, that the Select Committee on the Hants Election, cannot further proceed thereupon; but that the only course to be adopted under the circumstances, is, that a new Committee be chosen, if the Petitioner renew his Petition. All which is humbly submitted.

Committee-Room, 5th February, 1828

(SIGNED)

CHARLES R. FAIRBANKS, Chairman.
A. STEWART,
THOS. C. HALIBURTON,
JOHN YOUNG,
CHARLES D. ARCHIBALD,
GEORGE SMITH,
WM. H. SHEY,

Whereupon, Mr. Hartshorne moved, that the Report be re-committed, and that the Committee be instructed to report to the House what proceedings took place between the 10th Geo. 3, and 28th Geo. 3, under the Granville Act; which been seconded and put, and the House dividing thereon, there appeared for the motion, eleven; against it, fourteen. So it passed in the negative.

Motion that report be re-committed

On motion, *resolved*, that the report be received by the House.

Mr. Stewart reported from the three Committees appointed yesterday to wait upon His Excellency the Lieutenant-Governor, that those Committees had so waited upon His Excellency with Copies of the four Resolutions passed yesterday, upon the several subjects of the Importation and Exportation of Fish and Salt—the Quit Rents, the new arrangements respecting Crown Lands, and the Trade of the Province; and that His Excellency was pleased to say, that he would direct the information requested by those Resolutions to be given to the House without delay.

Report from Committees of yesterday

A Petition of Elizabeth Rule, was presented by Mr. Uniacke, and read, stating that her late Husband had been Shipping Officer of the Excise Department in Halifax, and

Petition of Elizabeth Rule