

THURSDAY and FRIDAY, 25th and 26th JANUARY, 1838.

Election in place of Honorable Mr. Wilkins.

On motion, *resolved*, That Mr. Speaker do forthwith request His Excellency the Lieutenant-Governor, that a Writ may issue in the usual manner for the election of a Member for the Township of Windsor to serve in the present General Assembly, in the place of the Hon. Lewis M. Wilkins, who has accepted a seat in the Legislative Council, whereby his seat in this House has become vacated.

Petition of A. McKim, Candidate for Cumberland County

A Petition of Andrew McKim, of Wallace, in the County of Cumberland, was presented by Mr. Young, and read, setting forth that at the late Election in and for the County of Cumberland, in 1837, Gaius Lewis and Alexander Stewart, Esquires, and Petitioner, were Candidates for the Representation of said County in General Assembly; that at the close of the said Election the said Gaius Lewis and Alexander Stewart, Esquires, were declared by the High Sheriff of said County duly elected to represent said County, the said Alexander Stewart, Esquire, having polled five more votes than Petitioner; that Petitioner conceiving himself to have polled a greater number of the good votes of said County than the said Alexander Stewart, Esquire, demanded a scrutiny of the votes of the said Alexander Stewart, Esquire, according to Law, and a scrutiny was held before the said High Sheriff, in Amherst, in the said County, which said Scrutiny was duly returned to this Honorable House; that on the prayer of Petitioner a Committee was appointed by this Honorable House to try the merits of his Petition against the return of the said Alexander Stewart, and that after Petitioner had been at much pains and expense in prosecuting the said Scrutiny before the said High Sheriff, as well as before the said Committee, and had closed his case, but before the said Committee had reported thereon, this Honorable House was prorogued; and Petitioner, referring to the evidence by him adduced before the said Committee, humbly represents to this Honorable House, that of the good votes of the said County, a greater number was polled for Petitioner than for the said Alexander Stewart, Esquire, who has lately accepted a seat in the Legislative Council—and praying that this House will be pleased to take the premises into consideration, and therein to afford Petitioner such relief as the House may deem expedient and right; and thereupon,

Motion to refer Petition of A. McKim and letter of Hon. A. Stewart to Com. of Privileges. Amendment to Select Committee negatived

Mr. Young moved that the Petition, with the Letter from the Hon. Alexander Stewart this day laid before the House, be referred to the Committee of Privileges, to examine and report upon; which, being seconded,

Mr. Morton moved, by way of amendment to the question, to leave out the words "the Committee of Privileges," and substitute therefor the words "a Select Committee," which being seconded and put, and the House dividing thereon, there appeared for the amendment, sixteen; against it, nineteen:

So it passed in the Negative.

The main question being then put, was agreed to by the House; and thereupon,

*Ordered*, That the said Petition and Letter be referred to the Committee of Privileges, to examine and report upon to this House.

Question carried for Com. of Privileges Ordered accordingly

Then the House adjourned until To-morrow, at two of the Clock.

Friday, 26th January, 1838.

Correction of Journal as to Committee of Privileges

It appearing by the Original Journal of last Session that Mr. Uniacke was appointed one of the Committee of Privileges, and his name having been omitted in the Printed Copy,

*Ordered*, That the name of the Hon. Mr. Uniacke be now inserted in the Printed Copy of the Journals as one of the Members of said Committee.

Mr. Goudge takes Oaths

Mr. Goudge took the usual State Oaths in the presence of the Honorable Peter McNab, one of the Commissioners appointed for administering the same.

Report of Address to Lieut. Gov.

The Hon. Mr. Huntington reported from the Committee appointed to prepare an Address in answer to His Excellency's Speech, that the Committee had drawn up an Address accordingly; and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as follows:

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