

Mr. R. Pagan,  
Major Murray,

*The Attorney General,*  
Mr. Campbell,

Major Dixson.

A motion was then made and seconded—That it be resolved, that when the resolution and order, for vacating the seat of *David Owen*, Esq. passed this House, there was a greater number of Members present than when the question for re-considering the same was moved and put—

Upon which the House also divided.

#### YEAS.

Mr. Simonds,  
Mr. Youngbusband,  
Mr. Smith,  
Mr. Mowatt,

Mr. W. Pagan,  
Mr. Glenie,  
Mr. R. Pagan,  
Major Murray,

*The Attorney General,*  
Mr. Campbell,  
Major Dixson.

#### NAYS.

Colonel Coffin,  
Captain M'Lean,

Captain Agnew,  
Mr. Peters,

Colonel Ellegood,  
Mr. Frazer.

*Ordered*, That a Warrant issue for a new Writ for electing a Member for the County of Charlotte in the place of *David Owen*, Esq. in this form, viz.

“Whereas *David Owen*, Esq. was at the first Session of this General Assembly elected and returned into this House one of the Representatives for the County of Charlotte, but has never attended his duty in the same or assigned any reason to this House for not attending, it was last Friday moved, that his seat be declared vacated, which motion, upon the question, passed in the affirmative. It was therefore ordered, that a new Writ shall issue for the choice of another Representative in the room and place of the said *David Owen*, for which this shall be your Warrant.”

The House then adjourned until to-morrow morning at eleven of the clock.

#### TUESDAY, 5th FEBRUARY, 1799.

Read the third time as engrossed, a bill “for altering the times and place of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of Westmorland”—and a bill “in amendment of an Act made and passed in the thirty-first year of His Majesty's Reign, intituled ‘an Act for the support and relief of confined Debtors.’

*Ordered*, That the said bills pass and be sent up for concurrence.

House in Committee—

Colonel *Ellegood* in the Chair—

Took into consideration a bill “to authorize the Justices of the Sessions in several Counties of this Province to make regulations for the weighing of Hay within such Counties where it may be found necessary to erect Machines for that purpose.”

The Speaker resumed the Chair—

The Chairman reported—That the Committee had taken the said bill into consideration, and had agreed to the same.

Which report was accepted—and ordered that the said bill be engrossed.

The *Attorney General* from the Committee to whom was referred the bill “in addition to an Act made and passed in the thirty-sixth year of His Majesty's Reign, intituled ‘an Act to prevent bringing Infectious Distempers into the City of Saint John’—reported that the Committee had agreed to a draught of the said bill.

And on motion—The House resolved itself into a Committee on the consideration of the same—

Major *Murray* in the Chair—

The Speaker resumed the Chair—