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*Am. P. 219 p*

JOURNAL  
OF THE  
VOTES and PROCEEDINGS  
OF THE  
HOUSE OF ASSEMBLY  
OF THE  
PROVINCE of NEW-BRUNSWICK:

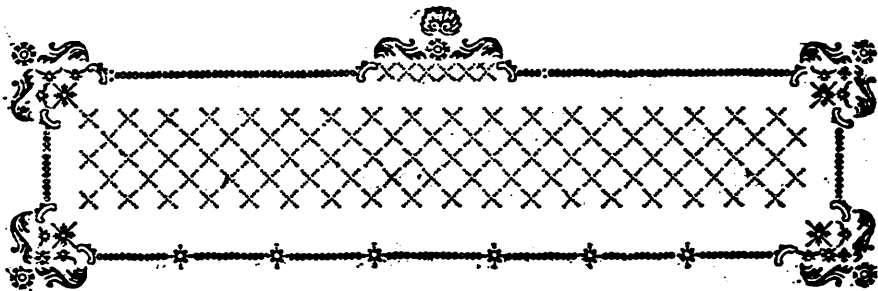
From Thursday the 3d of FEBRUARY to Saturday the 5th of  
MARCH, 1791.



ST. JOHN:

Printed by CHRISTOPHER SOWER, PRINTER to the  
KING'S MOST EXCELLENT MAJESTY. 1791.





# Journal and Votes

OF THE

## *House of Assembly,*

Of the PROVINCE of

NEW-BRUNSWICK.

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HOUSE OF ASSEMBLY,

THURSDAY, 3d, FEBRUARY 1791.

**T**HE Assembly having been prorogued to this day when a sufficient number of members to compose a House not attending. House adjourned.

Adjourned until Saturday.

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SATURDAY, 5th FEBRUARY, 1791.

The House being met pursuant to adjournment.

The Clerk of the Crown attended with a writ for the election of a member for the county of *Sunbury* in the room of *Richard Vanderburgh*, A new member returned for

Sunbury county,

*Vanderburgh*; by the return of which it appears that *James Glenie*, Esquire, is duly elected.

and for the city and county of St. John.

And also with a writ for the election of a member for the city and county of *Saint John* in the room of *Stanton Hazard*, deceased; by the return of which it appears that *Nebemiah Rogers*, Esquire, is duly elected.

Ordered, That Major *Murray* and Mr. *Hardy* attend to see them qualified.—Who accordingly attended—and

Reported, That they had taken the usual oaths.—

Whereupon, they took their seats.

Message from His Excellency.

A message from His Excellency the *Lieutenant Governor*, requiring the attendance of the House in the Council Chamber.

House attended His Excellency

Mr. *Speaker*, with the House attended accordingly, and being returned, reported that His Excellency was pleased to make the following speech to both Houses:

His Excellency's speech to both Houses.

“Gentlemen of the Council,  
“And Gentlemen of the Assembly,

“HIS MAJESTY's disallowance of the act passed in this province. “*For securing the Purchasers of Mortgaged Estates*” having been signified to me by an order of His MAJESTY in Council, I notified the same by proclamation on the 3d, of December last.”

“I have now further to inform you, that, by the same order in Council, His MAJESTY hath also been pleased to signify his Royal disallowance of the act, “*For regulating Elections of Representatives in General Assembly and for limiting the Duration of Assemblies in this Province.*”

“As a law, providing for these important objects, is essential to the completion of our Colonial Constitution, I recommend the revival of this last mentioned act to your consideration; being persuaded that a similar act, with such amendment as a review of the subject may suggest, would be sanctioned by the Royal approbation.”

“Copies shall be laid before you of the papers transmitted to me on this occasion, together with some others respecting the act “*For regulating Marriage and Divorce.*”

“Gentlemen of the Assembly,

“An account of the warrants issued for payment of the sums granted in the last Session shall be laid before you.

“The public roads must for some years, continue to be one great

“ great object of your attention nor can I doubt your zeal in  
“ providing for a service so essential to the progress of settlement  
“ and cultivation in this country.

“ It is also highly requisite that some provision be made for the  
“ decent accommodation of the General Assembly and the Courts  
“ of Justice. I have therefore directed a plan for this purpose  
“ to be prepared and submitted to your consideration.

“ *Gentlemen of the Council,*  
“ *And Gentlemen of the Assembly,*

“ I have received a letter from one of His MAJESTY'S Princi-  
“ pal Secretaries of State, announcing the death of His Royal  
“ Highness *the Duke of Cumberland*; which melancholy event  
“ happened on the 18th day of September last, to the great  
“ grief of their MAJESTIES and all the Royal Family.

“ The vigor and dispatch with which the necessary prepara-  
“ tions for war have been made, on the part of Great Britain,  
“ have enabled His MAJESTY to terminate the negotiations with  
“ the Court of Spain in such manner as to secure inviolate the  
“ national honor and preserve the blessings of peace to his people,  
“ at a time when a bloody and expensive war seemed inevitable.

“ I am happy to congratulate you, Gentlemen, on this occa-  
“ sion, and the more so, from a conviction that the inhabitants  
“ of this province, who have shewn how highly they value their  
“ birth-right as British subjects, will derive peculiar satisfaction  
“ from an event so interesting to the whole empire, and which  
“ reflects so true a lustre on His MAJESTY'S administration.”

Read the first time,

“ A Bill for enabling the parties in civil actions to obtain Spe- Bill read.  
“ cial Juries in certain causes therein mentioned.”

On motion made and seconded,

*Ordered,* That a committee be appointed to prepare an address  
in answer to His Excellency's speech.

Mr. *Hardy*, Mr. *William Pagan*, Captain *Clinch*, Mr. *Dixon*, Committee to  
and Mr. *Dickinson*, are appointed for that purpose. prepare an ad-  
dress.

*Resolved,* That the consideration of His Excellency's speech Consideration of  
the speech post-  
poned.  
be postponed until Monday next.

The House being informed of the death of *William Davidson*,  
Esquire, one of the members for the county of *Northumberland*.

*Ordered,* That the *Speaker* direct his warrant to the Clerk of Warrant ordered  
for a new mem-  
ber for Nor-  
thumberland.  
the Crown to issue a writ for the election of a member for the  
said county in the room of the deceased.

The

Letter from Mr. Blifs communicated to the House,

The *Speaker* communicated to the House a letter from *Jonathan Blifs*, Esquire, one of the members for the city and county of *Saint John*, requesting leave to resign his seat.

and resolve thereon.

*Resolved*, That his resignation cannot be accepted—and

*Ordered*, That this resolution of the House be forthwith communicated to him by the *Speaker*.

House adjourn.

The House adjourned until 10 o'clock on Monday next.

MONDAY, 7th FEBRUARY, 1791.

Address reported.

The committee appointed to prepare an address in answer to His Excellency the *Lieutenant Governor's* speech, reported a draught thereof, which being read, was ordered to be taken into consideration in a committee of the whole House.

House in committee.

House in committee.

The *Attorney General* in the chair.

The *Speaker* resumed the chair—and—

Report of the committee.

The chairman reported:—That the committee had gone through the address and amended the same.

Which report was accepted.

And the said address, being read, was agreed to as amended, and *Ordered* to be engrossed as follows, viz.

“ To His Excellency THOMAS CARLETON, Esquire,  
“ LIEUTENANT GOVERNOR and COMMANDER in CHIEF  
“ of the Province of New-Brunswick, &c. &c. &c.

*The humble Address of the HOUSE of ASSEMBLY,*

“ May it please your Excellency !

Address of the House in answer to his Excellency's speech.

“ **T**O PERMIT us, the Assembly of the province of New-Brunswick, to assure your Excellency, that convinced  
“ as we are of His MAJESTY's paternal goodness and affection,  
“ we receive the notification of his pleasure respecting the act  
“ For securing the Purchasers of Mortgaged Estates” and the act  
“ For regulating the Election of Representatives in General  
“ Assembly and for limiting the Duration of Assemblies in this  
“ Province” with the most profound respect and dutiful submission.

“ Sensible that without an act, similar to this last mentioned  
“ our Provincial Constitution must be highly defective; we  
“ shall (on receiving the papers which your Excellency may be  
“ pleased to lay before us ) proceed with the utmost dispatch in  
“ passing

“ passing such an act as a deliberate review of this important  
 “ subject may suggest and hope so to frame it as to meet with  
 “ the concurrence of the other branches of the Legislature in  
 “ such manner that it may immediately become a part of the  
 “ provincial code.

“ We shall also pay every attention to the other papers men-  
 “ tioned by your Excellency.

“ The public roads are so essential to the progress of settle-  
 “ ment and cultivation in this country, that they must continue  
 “ for some years to be one great object of our consideration.

“ We shall pay all due attention to the plan which your Ex-  
 “ cellency has directed to be prepared and laid before us, as the  
 “ decent accommodation of the General Assembly and the Courts  
 “ of Justice, are objects exceedingly desirable.

“ We hear, with much regret, of the death of *His Royal*  
 “ *Highness the Duke of Cumberland* and sincerely sympathize  
 “ with their MAJESTIES and all the Royal Family in their great  
 “ grief on that melancholy occasion.

“ It gives us much satisfaction to learn that the vigor and  
 “ dispatch with which the necessary preparations for war have  
 “ been made on the part of Great Britain, have enabled HIS  
 “ MAJESTY to terminate the negotiations with the Court of  
 “ Spain in such a manner as to secure inviolate the national hon-  
 “ or, preserve the blessings of peace to his people, and avoid  
 “ the calamities attending a bloody and expensive war.

“ We are happy in returning your Excellency’s congratulati-  
 “ ons on this great event, in which, as British subjects we feel  
 “ ourselves deeply interested, convinced that the consequences  
 “ of war would have been sensibly felt by the inhabitants of this  
 “ province in its present infant state.

“ The conviction impressed on your Excellency’s mind of  
 “ the just value we place on the constitutional blessings we de-  
 “ rive from our birth right, affords us sincere pleasure, and we  
 “ shall always derive peculiar satisfaction from every event that  
 “ reflects lustre on HIS MAJESTY’S administration.”

Captain *Lyman*, member for *York* county in his place informed the House that *Edward Stelle*, Esquire, member for the same county, had left the province about *eighteen months* ago, with an intention not again to return, and had gone to reside in *Foreign States*; and it appearing by the evidence of *Andrew Finucane*, Esquire, given at the Bar of this House, that the said *Edward Stelle* had informed him Mr. *Finucane* that he never intended to return to this province. And this House having received no communi-

Information re-  
 specting Mr.  
 Stelle,



cation from Mr. *Stelle* since his absence of any intention to return.

His seat vacated, *It is thereupon Resolved*, That the seat of the said *Edward Stelle*, Esquire, be vacated and the same is hereby declared to be vacant.

and a warrant ordered for a new member for York county. *Ordered*, That the *Speaker* direct his warrant to the Clerk of the Crown to issue a writ for the election of a member for the county of *York* in the room of the said *Edward Stelle*.

Information respecting Col. Hamilton. Major *Coffin* member for *King's* county in his place informed the House that *John Hamilton*, Esquire, member for the said county had disposed of his property in this province and had removed to the *United States of America* with an intent to reside there, and that the said *John Hamilton* had informed him Major *Coffin*, that he did not mean to return to the province. And Mr. *Hardy* member for *Northumberland* informed the House that the said *John Hamilton* had, previous to his departure, assured him that he did not intend to return to the province, and that he expected his seat would be vacated in consequence of his departure.

His seat vacated. *It is thereupon Resolved*, That the seat of the said *John Hamilton* be vacated, and the same is hereby declared to be vacant.

and a warrant ordered for a new member for King's county. *Ordered*, That the *Speaker* direct his warrant to the Clerk of the Crown, to issue a writ for the election of a member for *King's* county in the room of the said *John Hamilton*.

Treasurer ordered to attend the House. *Ordered*, That the Treasurer of the province be directed to lay all books and papers relative to his office since the last session, before the House for examination, with all convenient dispatch.

Consideration of the Speech postponed. The consideration of His Excellency's speech is further postponed until to-morrow.

Motion by Mr. Hardy. Mr. *Hardy* moved for leave to bring in " *A Bill for empowering the Justices of the Supreme Court to issue Commissions for the taking depositions in Foreign Parts to be made use of as evidence in civil Causes depending in the said Court.*"

Leave was given.

And the said Bill being brought in accordingly.

Bill read. Was read the first time.

Motion by Mr. Dixon. Mr. *Dixon* moved for leave to bring in " *A Bill for regulating the width of Sleds.*"

Leave was given.

Bill read. And the said Bill being accordingly brought in.

Was read the first time.

The House adjourned until 11 o'clock to-morrow morning. House adjourn.

TUESDAY, the 8th of FEBRUARY 1791.

Ordered, That Major Murray and Captain Lyman wait on His Excellency the Lieutenant Governor to know when he will be pleased to receive this House with their address in answer to His Excellency's speech. Committee appointed to wait on his Excellency.

Mr. Hardy by leave brought up a petition from the Magistrates of the county of Northumberland.

Which being read, Petition read.

Was Ordered to lie on the table.

Resolved, that the Speaker be impowered to adopt such means for facilitating the attendance of the members at the House during the present session, as he shall think proper; and that this House will make good any expences attending the same. Resolve for facilitating the attendance of the members.

Mr. Glenie by leave brought up a petition from a number of the inhabitants of Magerville praying an act of the Legislature for establishing permanent marks or bounds to the several rights or shares in the said township—and moved for leave to bring in “ A Bill for fixing permanently the Boundary Lines between the different Grants throughout the Province.” Petition read. Leave to bring in a Bill.

Leave was given.

Ordered, That Mr. Chipman, Mr. William Pagan and Major Coffin be a committee to examine and report such laws as have expired or are near expiring. Committee to report on the expiring laws.

On motion of Mr. William Pagan.

Resolved, That the Clerk be directed to furnish the printer, from time to time, with copies of the Journal of this House, that the same may be published in sheets as early as possible for the information of the public: And that an abstract of the proceedings of this House be also sent to the printers for immediate publication. Resolve for printing the Journal in sheets, and an abstract in the Newspapers.

The committee appointed to examine and report such laws as have expired or are near expiring, made the following report.

That “ An Act to lay a Tax on Dogs” expired on the 1st May 1790.

That “ An Act for establishing a Militia in the Province of New-Brunswick and for regulating the same.” will expire on the 1st March 1792. Report of the committee on the expiring laws

That "*An Act to continue and amend an Act intituled an Act for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province*" expired on the 1st February 1791.

That "*An Act to authorize the erection of Fences and Gates across certain Roads in the several Counties in this Province where the same shall be found necessary*" will expire in October 1791.—and—

That "*An Act for laying an Impost.*" will expire on the 1st March 1791.

Motion by Mr. Pagan. Mr. William Pagan moved for leave to bring in "*A Bill for the Relief of confined Debtors.*"

Leave was given.

And the said Bill being brought in,

Bill read. Was read the first time.

Committee appointed. Mr. Hardy, Mr. William Pagan, Captain Lyman, Mr. Glenie, Mr. Rogers, Mr. Robert Pagan and Major Coffin are appointed a committee to bring in "*A Bill for regulating the Fisheries in the different Rivers, Coves, and Creeks of this Province.*"

Committee appointed. Mr. Chipman and Mr. Hubbard are appointed a committee to bring in "*A Bill to continue an Act entitled "An Act to authorize the erection of Fences and Gates across certain Roads in the several Counties of this Province where the same shall be found necessary"*.

Motion by Mr. Chipman. Mr. Chipman moved for leave to bring in "*A Bill in amendment of an Act entitled "An Act for laying out, repairing and amending Highways, Roads and Streets and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province,"*"

Leave was given.

On motion made and seconded,

Committee appointed. Ordered, That a committee, consisting of a member from each county, be appointed to bring in "*A Bill for fixing the Times and Places of holding the Sittings of the Supreme Court in this Province.*" Mr. William Pagan, Mr. Dixon, Captain Clinch, Mr. Hardy, Major Murray, Major Coffin, Mr. Yeamans and Mr. Glenie are appointed for that purpose.

A message from His Excellency the Lieutenant Governor, by the Secretary of the province:

Message from His Excellency. With a copy of an order of HIS MAJESTY in Council dated the 18th August 1790, disallowing "*An Act for securing the Purchasers of mortgaged Estates*" and "*An Act for regulating Elections.*"

“ *Elections of Representatives in General Assembly and for limiting the Duration of Assemblies in this Province* ”—and—also with a plan for the accommodation of the General Assembly and the Courts of Justice within the body of the Church at Fredericton.

Ordered, That the said message and papers be referred, to be taken into consideration by the committee of the whole House on His Excellency's speech.

Referred to the committee of the whole House

Resolved, To consider His Excellency's speech in a committee of the whole House.

House in committee.

House in committee.

Mr. Chipman in the chair.

The Speaker resumed the chair.

The chairman reported.

That the committee had gone into the consideration of His Excellency's speech—and

Report of the committee.

That it was the opinion of the committee that a Bill be brought in “ *For regulating Elections of Representatives in General Assembly and for limiting the Duration of Assemblies in this Province.* ”

That an humble address be presented to His Excellency the Lieutenant Governor, requesting him to direct the Surveyor General of this province to prepare a plan of the province for the use of the House of Assembly—and also—

That the several persons, to whom the several and respective sums of money were voted at the last session to be expended upon the public roads, lay before the House the present state of those roads—and what sums will probably be necessary to complete them.

Ordered, That the said report be accepted—and that Mr. Chipman and Mr. Rogers be a committee to bring in “ *A Bill for regulating Elections of Representatives in General Assembly and for limiting the Duration of Assemblies in this Province.* ”

Committee appointed.

The further consideration of His Excellency's speech is postponed until to-morrow.

Consideration of the speech postponed.

The House adjourned until to-morrow morning at 11 o'clock.

House adjourns.

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W E D N E S D A Y the 9th FEBRUARY 1791.

The committee appointed to bring in a “ *A Bill for regulating Elections of Representatives in General Assembly and for limiting* ”

“ *limiting the Duration of Assemblies in this Province* ” reported a draught of the same.

Bill read. Which was read the first time.

A Bill to continue an act entitled “ *An Act to authorize the erection of Fences and Gates across certain Roads in the several Counties in this Province where the same shall be found necessary.* ”

Was brought in by the committee appointed for that purpose,—and—

Bill read. Read the first time.

Motion by Major Murray. Major Murray moved for leave to bring in a Bill in addition to an act entitled “ *An Act for regulating the Courts of Law established in the several Counties for the Trial of causes to the value of Forty Shillings.* ”

Leave was given.—

Committee appointed. Mr. William Pagan, the Attorney General, Captain Lyman and Mr. Rogers are appointed a committee to prepare “ *A Bill for laying an Impost.* ”

Petition from the City of St. John. Mr. William Pagan by leave brought up a petition from a number of the inhabitants of the city of Saint John.

Petition from Mr. Hazen. Captain Clinch by leave brought up a petition from the Honorable William Hazen, Esquire—and—

And presentment of the Grand Jury of Northumberland. Mr. Hardy by leave brought up a presentment from the Grand Jury of the county of Northumberland.

Which were read—and—

Ordered, to be taken into consideration with the bill “ *For regulating the Fisheries in the different Rivers, Coves and Creeks of this Province.* ”

The committee appointed to wait on His Excellency the Lieutenant Governor to know when he would be pleased to receive this House with their address in answer to His Excellency's speech.

Reported,

Report of a committee. That His Excellency will receive this House with their address on Friday next at 12 o'clock.

Read, the second time.

“ A Bill for regulating Elections of Representatives in General Assembly and for limiting the Duration of Assemblies in this Province.”

Bills read ad. time

“ A Bill to continue an act entitled “ An Act to authorize the erection of Fences and Gates across certain Roads in the several Counties in this Province where the same shall be found necessary ”—and

“ A Bill for regulating the width of Sleds.”

Ordered, That the said bills be committed.

The members for the city and county of Saint John made a report of the money expended on the Westmorland road, the state of the said road, and the sum that will probably be necessary to complete the same.

Report on the Westmorland road—

Which was ordered to lie on the table.

A message from His Excellency the Lieutenant Governor by the Secretary of the Province,

With a copy of “ An Act for regulating Marriage and Divorce and for preventing and punishing Incest, Adultery and Fornications.”

Message from His Excellency

A copy of a letter from Lord Sydney to His Excellency the Lieutenant Governor.

And also a copy of the Bishop of London's observations on the said act.

According to the order of the day.

The House went again into committee on the consideration of His Excellency's speech.

House in committee.

Mr. Chipman in the chair.

The Speaker resumed the chair, and, the chairman reported that the committee had gone into the consideration of His Excellency's speech, and had directed him to report a progress, and to request leave to sit again.

Report of the committee.

Ordered, That the said report be accepted, and that the further consideration of His Excellency's speech be postponed until to-morrow.

Consideration of the speech postponed.

The members for King's county reported their expenditure of the money on the road from Fredericton to Saint John through or near the settlements over the highlands on the western side of the river Saint John, the state of the said road in King's county, and the sum requisite to complete the same.

Report of the King's county members.

Which

Which was *Ordered* to lie on the table.

Committee appointed.

Mr. *Chipman* and Captain *Lyman* are appointed a committee to prepare an address to His Excellency the *Lieutenant Governor* requesting him to direct the *Surveyor General* to prepare a plan of this province for the use of the House of Assembly.

House adjourn.

The House adjourned until 11 o'clock to-morrow morning.

### THURSDAY, the 10th of FEBRUARY 1791.

Petition read.

Major *Murray*, by leave, brought up a petition from the Reverend Doctor *John Agnew* and Captain *Stair Agnew* praying the House to establish and regulate a Public Ferry from their farms on the east-side of the river *Saint John* to *Fredericton*; and also across the mouth of the river *Nashwaack*.

Which was read—and—

*Ordered*, That, Major *Murray* have leave to bring in a bill for that purpose.

Report on the Miramichiro.

Captain *Lyman* reported the expenditure of the sum granted for opening a road from *Fredericton* to *Miramichi*, the state of the said road, and the sum requisite to complete the same.

Which was ordered to lie on the table.

Read the *first* time.

Bill read.

“ *A Bill in addition to an act entitled “ An Act for regulating the Courts of Law established in the several Counties for the Trial of Causes to the value of Forty Skillings.*”

On motion made and seconded.

Resolve on the Nova-Scotia Laws.

*Resolved*, That this House will take into consideration in committee of the whole House the acts and laws passed in the General Assembly of *Nova-Scotia* before the erection of the province of *New-Brunswick* and then in force, and to report their opinion of the necessity or expediency of confirming or repealing all or any part of such laws.

Bill read.

Major *Coffin* by leave brought in “ *A Bill for altering the Times of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in King's County.*”

Which was read the *first* time.

Message from His Excellency.

A message from His Excellency the *Lieutenant Governor* by the Secretary of the province with an extract of a letter from His

His Excellency to Lord Sydney on the subject of the act "For regulating Marriage and Divorce."

Which was referred to the committee of the whole House on the consideration of His Excellency's speech.

House in Committee.

House in committee.

Captain Lyman in the chair.

The Speaker resumed the chair, and the chairman reported that the committee had taken into consideration the acts and laws passed in the General Assembly of Nova Scotia before the erection of the province of New-Brunswick, and then in force; and had directed him to report a progress and to request leave to sit again.

Report of the committee.

Ordered, That the said report be accepted.

House in committee.

House in committee.

Major Murray in the chair.

Took into consideration "A Bill for regulating Elections of Representatives in General Assembly and for limiting the Duration of Assemblies in this Province."

The Speaker resumed the chair,—and

The chairman reported that the committee had gone into the consideration of the said bill, and had made a progress therein; and requested leave to sit again.

Report of the committee.

Ordered, That the said report be accepted.

The further consideration of His Excellency's speech is postponed until to-morrow.

Consideration of the speech postponed.

The House adjourned until 10 o'clock to-morrow morning.

House adjourned.

F R I D A Y the 11th of FEBRUARY 1791.

Read the second time.

"A Bill for altering the Times of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in King's County" and "A Bill in addition to an Act intituled An Act for regulating the Courts of Law established in the several counties for the Trial of Causes to the value of Forty Shillings."

Bills read the second time.

Ordered, That the said bills be committed.

Mr. Dixon moved for leave to bring in "A Bill in addition to an Act intituled an Act for regulating Servants."

Motion by Mr. Dixon.

D.

Leave



Leave was given, and the said bill being brought in accordingly.

Bill read. Was read the first time.

House in committee. House in committee.

Captain *Lyman* in the chair.

Took into consideration " A Bill to continue an act entitled  
" *An act to authorize the erection of Fences and Gates across certain*  
" *Roads in the several Counties in this Province where the same*  
" *shall be found necessary.*"

The *Speaker* resumed the chair,—and

Report of the committee.

The chairman reported that the committee had gone through the said bill and agreed to the same.

Which report was accepted, and the bill, being read, was agreed to—and—

*Ordered*, to be engrossed.

House attend His Excellency with their addresses.

The House waited on His Excellency the *Lieutenant Governor* with their address in answer to His Excellency's speech; to which His Excellency was pleased to return the following answer:

" *Gentlemen,*

His Excellency's answer.

" **I** RETURN you my thanks for this address, Your  
" sentiments of dutiful respect and attachment to our  
" *Most Gracious Sovereign*, and the interest you take in the national prosperity are equally honorable to you and satisfactory to me."

Report of the commissioners respecting the Light House.

Mr. *William Pagan*, by desire of the commissioners appointed last session to superintend the erecting and finishing a Light House on *Partridge Island*, made a report of the expenditure of the money granted for that purpose, and laid before the House vouchers and papers respecting the same.

Which were read—and,—*Ordered*, to lie on the table.

Petition read.

Mr. *Hardy*, by leave brought up a petition from *Jonathan Leavitt*, praying for an exclusive right to manufacture *Pot-ash* in his improved manner for a reasonable term.

Which was read, and—

Committee appointed.

*Ordered*, that Mr. *Glenie*, Mr. *Robert Pagan*, and Major *Coffin*, be a committee to inquire into the subject matter of the said petition.

House in committee.

House in committee.

Major Murray, in the chair.

Went again into the consideration of the bill, "For regulating the election of Representatives in General Assembly and for limiting the Duration of Assemblies in this Province."

The Speaker resumed the chair.

The chairman reported that the committee had made a further progress in the said bill, and requested leave to sit again.

Report of the committee.

Ordered, that the said report be accepted.

The further consideration of His Excellency's speech is postponed until Monday next.

Consideration of the speech postponed.

The House adjourned until 10 o'clock to-morrow morning.

House adjourns.

SATURDAY, the 12th FEBRUARY 1791.

The order of the day being read.

The committee appointed to inquire into the subject matter of the petition of Jonathan Leavitt, REPORTED, that it appears to the committee to be a new discovery of extracting salt from ashes, and to have originated with him—and that the committee is of opinion that the object is of sufficient magnitude to merit the encouragement of the House.

Report of a committee.

Ordered, That the said report be referred, to be taken into consideration in committee of the whole House.

Read the first and second time.

A Bill to amend an Act, entitled "An Act for laying out, repairing and amending Highways, Roads, and Streets, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province."

Bill read.

Ordered, That the said bill be committed.

Read the first time.

"A Bill for fixing permanently the Boundary Lines between the different Grants in this Province."

Bills read.

Read the second time.

"A bill in addition to an act entitled "An Act for regulating Servants."

Ordered, That the consideration of the said bill be postponed for six months.

Read

Read the third time as engrossed.

Bill read 3d  
time,

“ A bill to continue an act entitled, “ *An Act to authorize the Erection of Fences and Gates across certain Roads in the several Counties in this Province where the same shall be found necessary.*”

and sent up.

Which was agreed to—and Ordered to be sent up for concurrence.

Bill read.

“ *A Bill for fixing permanently the Boundary Lines between the different Grants in this Province.*”

Was read the second time—and Ordered to be committed.

House in committee.

Major Murray in the chair.

House in com-  
mittee.

Went again into the consideration of “ *A Bill for regulating Elections of Representatives in General Assembly, and for limiting the Duration of Assemblies in this Province.*”

The Speaker resumed the chair.

Report of the  
committee.

The chairman reported that the committee had gone through the said bill and amended the same—and—

That on a question upon a clause in the third section of the said bill “ whether it should be necessary for the person elected to be possessed of Real Estate *within the County* for which he should be elected,” the committee had divided.

CAPTAIN CLINCH,	}	Y E A S.
Mr. R. PAGAN,		
MAJOR COFFIN,		
Mr. DICKINSON,		
Mr. ROGERS,		
Mr. GLENIE, and		
Mr. W. PAGAN.		

The ATTORNEY GENERAL,	}	N A Y S.
CAPTAIN LYMAN,		
Mr. HUBBARD,		
Mr. DIXON,		
Mr. SPEAKER,		
Mr. HARDY,		
Mr. CHIPMAN, and		
CAPTAIN ATTWOOD.		

Ordered, That the said report be accepted—and that the third reading of the said bill be postponed until Monday next.

House

House in committee.

House in committee.

Mr. *Chipman* in the chair.

The *Speaker* resumed the chair—and the chairman reported, That the committee had taken into consideration the petition of *Jonathan Leavitt* praying for an exclusive right to manufacture *Pot-ash* in his improved manner and had made a progress therein—and requested leave to sit again.

Report of the committee.

Ordered, That the said report be accepted.

The House adjourned until Monday next at 11 o'clock.

House adjourned.

MONDAY, the 14th FEBRUARY 1791.

The order of the day being read.

Read the third time,

“ A Bill for regulating Elections of Representatives in General Assembly, and for limiting the Duration of Assemblies in this Province,” as reported by the committee of the whole House on Saturday last.

Bill read.

Which was agreed to with amendments and Ordered, To be engrossed.

The House went again into committee on the consideration of His Excellency's speech.

House in committee.

Mr. *Chipman* in the chair.

The *Speaker* resumed the chair.

The chairman reported—That the committee was of opinion that a bill should be brought in “ For regulating Marriage and Divorce.”

Report of the committee.

And that a select committee be appointed to inspect and examine the plan and building referred to in His Excellency the Lieutenant Governor's speech, and report to the House thereon.

Ordered, That the said report be accepted—and that Mr. *Dixon*, Mr. *Glenie*, Mr. *Rogers*, Mr. *Hardy* and Captain *Lyman* be a committee to inspect and examine the plan and building referred to in His Excellency's speech and report thereon—And that Mr. *Chipman*, Mr. *W. Pagan*, Captain *Clinch* and Major *Murray*, be a committee to bring in a bill “ For regulating Marriage and Divorce.”

Committee appointed.

House in committee.

Mr. Chipman in the chair.

House in committee.

Took into consideration “ A Bill for fixing permanently the Boundary Lines between the different Grants in this Province.”

The Speaker resumed the chair.

Report of the committee.

The chairman reported that the committee had gone into the consideration of the said bill and had made a progress therein.

And requested leave to sit again—*Ordered*, That the said report be accepted.

Draught of an address reported.

The committee appointed to prepare an address to his Excellency the Lieutenant Governor requesting him to direct the Surveyor General to prepare a plan of the province for the use of this House, REPORTED a draught thereof—

Which being read, was agreed to with an amendment, and *Ordered*, to be engrossed as follows, viz.

Address to His Excellency the Lieutenant Governor.

To HIS EXCELLENCY THOMAS CARLETON, Esq. LIEUTENANT GOVERNOR and COMMANDER in CHIEF of the Province of New-Brunswick, &c. &c. &c.

*The HUMBLE ADDRESS of the HOUSE of ASSEMBLY.*

*May it please YOUR EXCELLENCY!*

“ THE HOUSE OF ASSEMBLY in deliberating upon  
“ the Subject of the Public Roads find great inconvenience from the want of a Map or Plan of the Province, in  
“ order to ascertain the most eligible Lines of communication  
“ between different places where Roads may be found necessary.

“ They therefore most humbly request, that your Excellency  
“ will be pleased to direct the Surveyor General of the Province  
“ to prepare from the Materials now in his office, a Plan of the  
“ Province upon a suitable Scale, for the Use of the House of  
“ Assembly.”

*Ordered*, That the same committee present the said address to His Excellency.

Consideration of His Excellency's speech postponed.

The further consideration of his Excellency's speech is postponed until Wednesday next.

House in committee.

Mr. Hardy in the chair.

Took

Took into consideration “ *A Bill to amend an Act entitled* House in committee.  
 “ *An Act for laying out, repairing and amending, Highways,*  
 “ *Roads, and Streets, and for appointing Commissioners and Sur-*  
 “ *veyors of Highways within the several Towns or Parishes in*  
 “ *this Province,*” and “ *A Bill for regulating the Width of*  
 “ *Sleds.*”

The *Speaker* returned the chair.

The chairman reported that the committee had gone into the Report of the committee.  
 consideration of the said bills and had made a progress therein.

And requested leave to sit again.

*Ordered,* That the said report be accepted.—

The House adjourned until 11 o'clock to-morrow. House adjourned.

T U E S D A Y, the 15th FEBRUARY 1791.

The order of the day being read—

The committee appointed to present the address to His Excel-  
 lency the Lieutenant Governor requesting him to direct the Sur-  
 veyor General to prepare a plan of the province for the use of this  
 House.—REPORTED, That they had waited on his Excellency  
 with the said address—and that his Excellency was pleased to say  
 that he would give the necessary orders to the Surveyor General  
 for that purpose. Report of the committee.

Mr. *Dickinson* by leave brought up a petition from the Magi- Petition read.  
 strates of *Queen's County*.

Which was read—and

*Ordered,* To lie on the table.

*Ordered,* That Mr. *Christopher Sower* print the Journal of this Printer appointed.  
 House, and that no other person do presume to print the same.

The House went again into committee on the consideration of House in committee.  
 the Acts and Laws passed in the General Assembly of *Nova-*  
*Scotia* before the erection of the province of *New-Brunswick* and  
 then in force—

Captain *Lyman* in the chair.

The *Speaker* resumed the chair—

The chairman reported—That the committee had made a fur- Report of the committee.  
 ther progress therein.

And

And requested leave to sit again.

Which report was accepted.

And on the question being put for leave to be given to the committee to sit again.

It was determined in the negative.

On motion made and seconded.

Resolve.

*Resolved*, That the resolution of this House made on Thursday the 10th day of February instant "To take into consideration  
" in committee of the whole House the acts and laws passed in  
" the General Assembly of *Nova-Scotia* before the erection of  
" the province of *New-Brunswick* and then in force, and to re-  
" port their opinion of the necessity or expediency of confirming  
" or repealing all or any part of such laws," was not intended  
to, and did not involve any opinion of this House upon the ques-  
tion whether the Laws passed in the General Assembly of *Nova-*  
*Scotia* before the erection of the province of *New-Brunswick* and  
then in force, extended to and were in force in this province after  
such erection or not.

Motion by Mr.  
W. Pagan.

Mr. *William Pagan*, moved for leave to bring in " *A Bill to*  
" *remove the Doubts that have arisen respecting the Acts and*  
" *Laws passed in the General Assembly of Nova-Scotia before the*  
" *Seperation of this Province.*"

Leave was granted.

House in committee.

Mr. *Hardy* in the chair.

House in com-  
mittee.

Went again into the consideration of " *A Bill to amend an Act*  
" *entitled An Act for laying out, repairing, and amending High-*  
" *ways, Roads, and Streets, and for appointing Commissioners and*  
" *Surveyors of Highways in the several Towns or Parishes in*  
" *this Province,*" and " *A Bill for regulating the Width*  
" *of Sleds.*"

The *Speaker* resumed the chair.

Report of the  
committee.

The chairman reported—That the committee had gone into  
the consideration of the said bills and agreed to the same with a-  
mendments under the title of " *A Bill in addition to, and in*  
" *amendment of an Act entitled An Act for laying out, repairing*  
" *and amending Highways, Roads and Streets, and for appoint-*  
" *ing Commissioners and Surveyors of Highways within the sever-*  
" *al Towns or Parishes in this Province.*"

*Ordered,*

Ordered, That the said report be accepted—And that the said bill stand for a third reading to-morrow.

House in committee.

House in committee.

Captain Clinch in the chair.

Took into consideration,—"A Bill in addition to an Act intituled  
"An Act for regulating the Courts of Law established in the several  
"Counties for the Trial of Causes to the Value of Forty Shillings.

The Speaker resumed the chair,—and

The chairman reported that the committee had gone into the consideration of the said bill, and had made a progress therein.

Report of the committee.

And requested leave to sit again.

Ordered, That the said report be accepted.

"A Bill to establish a Public Ferry from the Mouth of the River Nashwaack to Fredericton, and also across the Mouth of the said River Nashwaack."

Bill read.

Was read the first time.

"A Bill for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery and Fornication."

Bill read;

Was brought in by the committee appointed for that purpose—and

Read the first time.

The House adjourned until 11 o'clock to-morrow.

House adjourned.

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W E D N E S D A Y, the 16th FEBRUARY, 1791.

The order of the day being read.

Read the second time.

"A Bill for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery and Fornication."

Bill read.

Ordered, That the said bill be committed.

Read as engrossed.

"A Bill for regulating Elections of Representatives in General Assembly, and for limiting the Duration of Assemblies in this Province."

Bill read

Ordered, That the said bill pass—and be sent up for concurrence.

and sent up;

Read the third time,



Bill read.

“ *A Bill in addition to, and in amendment of an Act entitled*  
 “ *An Act for laying out, repairing and amending Highways,*  
 “ *Roads and Streets, and for appointing Commissioners and Sur-*  
 “ *voyors of Highways within the several Towns or Parishes in*  
 “ *this Province.*”

Which was agreed to with an amendment and *Ordered*, To be engrossed.

Treasurer attended.

The Treasurer of the province attended, according to order, and laid his accounts before the House.

Committee appointed.

*Ordered*, That Mr. *Glenie*, Captain *Clinch*, and Captain *Lyman*, be a committee to examine the same, and report thereon.

Read the first and second time.

Bill read.

“ *A Bill to declare that no Law passed in the General Assembly*  
 “ *of the Province of Nova-Scotia before the Erektion of the Pro-*  
 “ *vince of New-Brunswick shall be of force in this Province.*”

*Ordered*, That the said bill be committed.

House in committee.

Mr. *Hardy* in the chair.

House in committee.

Took into consideration—“ *A Bill to declare that no Law pas-*  
 “ *sed in the General Assembly of the Province of Nova-Scotia,*  
 “ *before the Erektion of the Province of New-Brunswick shall*  
 “ *be of force in this Province.*”

The *Speaker* resumed the chair.

Report of the committee.

The chairman reported that the committee had gone through the said bill and agreed to the same.

Which report was accepted—and the said bill being read, was agreed to and *Ordered*, To be engrossed.

The committee appointed to inspect and examine the plan and building referred to in His Excellency the Lieutenant Governor's Speech made the following report.

Report of a committee.

“ The committee appointed to examine the plan submitted to  
 “ the consideration of the House for fitting up part of the  
 “ *Church at Fredericton* for the accommodation of the Courts  
 “ of Justice and House of Assembly have accordingly done so,  
 “ and also inspected the Church itself—As to the plan they beg  
 “ leave to report it as their opinion, that if it was carried into  
 “ execution it would not afford the requisite accommodations for  
 “ the Council and House of Assembly—As to the Church they  
 “ find

“ find the roof of it to be on a bad construction and conceive it  
“ impracticable to support it effectually without erecting a dou-  
“ ble row of pillars, throwing tie beams across, and fixing studs  
“ or props from the same perpendicularly to the rafters and col-  
“ lar beams—As no estimate of the expence necessary for fitting  
“ up the Church agreeably to the proposed plan, has been laid  
“ before the committee, they cannot speak positively to this  
“ point, but are however of opinion that the sum requisite for  
“ finishing the plan and effectually securing the roof of the  
“ Church (without which the finishing of the plan would be  
“ useless) is equal to what would be sufficient for erecting a  
“ compact building with more convenient accommodations.”

*Ordered*, That the said report be referred, to be taken into consideration in committee of the whole House on the consideration of His Excellency's speech.

The further consideration of His Excellency's speech is postponed until to-morrow.

Consideration of His Excellency's speech postponed.

“ *A Bill for fixing the Times and Places of holding the Sittings of the Supreme Court in this Province.*”

Was brought in by the committee appointed for that purpose—and *Read* the first time.

Bill read.

House in committee.

Captain *Clinch* in the chair.

Went again into the consideration of “ *A Bill in addition to an Act entitled “ An Act for regulating the Courts of Law established in the several Counties for the Trial of Causes to the Value of Forty Shillings.*”

House in committee.

The *Speaker* resumed the chair.

The chairman reported the said bill with amendments by the title of “ *A Bill for the Recovery of small Debts.*”

Report of the committee.

Which report was accepted—and *Ordered*, That the said bill stand for a third reading to-morrow.”

“ *A Bill to establish a Public Ferry from the Mouth of the River Nashwaack to Fredericton and also across the Mouth of the said River Nashwaack.*”

Bill read.

Was read the second time—and *Ordered*, To be committed.

The House adjourned until 11 o'clock to-morrow.

House adjourned.

THURSDAY,

THURSDAY, the 17th FEBRUARY 1791.

The order of the day being read.

Account of  
Warrants laid  
before the  
House.

An account of the warrants issued for the payment of the several sums granted in the last session was laid before the House by command of his Excellency the Lieutenant Governor.

Which was read.

Read the third time as engrossed.

Bill read

“ *A Bill to declare that no Law passed in the General Assembly of the Province of Nova-Scotia before the Erection of the Province of New-Brunswick shall be of force in this Province.*”

and sent up.

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

Read the third time.

Bill read

“ *A Bill for the Recovery of small Debts.*” as reported by the committee of the whole House yesterday.

Which was agreed to—and Ordered, To be engrossed.

House in committee.

Mr. Chipman in the chair.

House in committee.

Went again into the consideration of “ *A Bill for fixing permanently the Boundary Lines between the different Grants in this Province.*”

The Speaker resumed the chair.

Report of the committee.

The chairman reported that the committee had gone through the said bill and agreed to the same with amendments.

Which report was accepted.

And the said bill, being read, was agreed to, as amended, and Ordered, To be engrossed.—

Report of Mr. R. Pagan.

Mr. Robert Pagan made a report of the expenditure of a part of the money granted in the last session for opening the road from Fredericton to Saint Andrews, the state of the said road, and the sum requisite to complete the same—

Which was read—and Ordered, To lie on the table.

Read as engrossed.

Bill read.

“ *A Bill in addition to, and in amendment of an Act entitled An Act for laying out, repairing and amending Highways, Roads and Streets*”

“ Streets, and for appointing Commissioners and Surveyors of  
“ Highways within the several Towns or Parishes in this Province.”

Ordered, That the said bill pass—and be sent up for concur- and sent up.  
rence.

House in committee.

Mr. Robert Pagan in the chair.

Took into consideration “ A Bill for regulating Marriage and House in com-  
“ Divorce, and for preventing and punishing Incest, Adultery and mittee.  
“ Fornication.”

The Speaker resumed the chair:

The chairman reported that the committee had gone into the Report of the  
consideration of the said bill and had made a progress therein. committee.

And requested leave to sit again.

Ordered, That the said report be accepted.

The further consideration of His Excellency's speech is post- Consideration of  
poned until to-morrow. His Excellen-  
cy's speech post-  
poned.

The House adjourned until 11 o'clock to-morrow. House adjourn-  
ed.

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F R I D A Y, the 18th FEBRUARY 1791.

The order of the day being read—

Mr. Hardy by leave brought in “ A Bill to explain and amend Bill brought in  
“ An Act entitled an Act for regulating Servants.”

Which was read the first and second time and Ordered, To be and read.  
committed—

Read the second time.

“ A Bill to enable the Justices of the Supreme Court to issue Bill read:  
“ Commissions for the examining of Witnesses out of the Province.”

Ordered, That the said bill be committed.

Mr. Hardy moved for leave to bring in “ A Bill to enable Motion by Mr.  
“ Persons of the Roman Catholic Persuasion to Vote at Elections Hardy.  
“ for Members to serve in General Assembly for this Province.”

Leave was given.

Bill read.

And the said bill being accordingly brought in was read the first time.

Report of the Members for Queen's county.

The members for *Queen's County* made a report of their expenditure of a part of the sum granted for opening a road from *Fredrickton* to the city of *Saint John* through or near the settlements over the Highlands on the western side of the river *Saint John*.

Which was *Ordered*, To lie on the table.

Petition brought up,

Mr. *Chipman* by leave brought up a petition from *William Sanford Oliver Esquire* praying a further allowance for his services while Sheriff of the county of *Sunbury*.

and read.

Which was read—and *Ordered*, To be referred to a select committee to report thereon.

Committee appointed.

Mr. *Robert Pagan* and Mr. *Hubbard* are appointed for that purpose.

Committee appointed.

*Ordered*, That *Major Coffin* and Mr. *Dixon*, be a committee to examine the accounts of the expenditure of the sum granted for erecting a *Light House* on *Partridge Island* and report thereon to this House.

Message from His Excellency the Lieutenant Governor.

A message from His Excellency the Lieutenant Governor by the Secretary of the province informing the House that two vessels laden with stores and provisions for His Majesty's troops in this province having arrived at *Saint John* under circumstances, which, by the *Impost law*, required bonds to be given for the amount of certain duties, such bonds were given in confidence of their being cancelled whenever the Assembly should have opportunity of taking this case into consideration; and that His Excellency recommends it as a case worthy of the attention and indulgence of this House—

*Ordered*, That the subject of the said message be taken into consideration in committee of the whole House—

Motion by Mr. Hardy.

Mr. *Hardy* moved for leave to bring in “ *A Bill to define and describe the Crime of Petit Larceny*” and “ *A Bill to oblige Masters of Vessels coming from Ports out of the Province to report the Names and Number of their Passengers and to take back such of the said Passengers as shall not comply with the Regulations of the Act.*”

Leave was given—

Bills brought in

And the said bills being brought in accordingly—

and read.

Were read the first time—

The clerk of the crown attended with the writ for the election of a member of *Charlotte* county in the room of *William Paine*, Esquire, by the return of which *Colin Campbell*, Esquire, appears to be duly elected—

Member for *Charlotte county* returned.

Ordered, That the said member so returned take the usual oaths before the Commissioner appointed for that purpose.—

And the said Commissioner attending and having administered the said oaths—

It is thereupon Ordered,—That he take his seat.

House in committee—

House in committee.

Mr. *Robert Pagan*, in the chair

The *Speaker* resumed the chair,—

Report of the committee.

The chairman reported that the committee had again gone into the consideration of “ *A Bill for regulating Marriage and Divorce and for preventing and punishing Incest, Adultery, and Fornication*” and had made a further progress therein.—

And requested leave to sit again—

Ordered, That the said report be accepted.

Message from the Council.

A message from the Council with “ *A Bill for the Relief of insolvent Debtors.*” and informing the House that they had concurred in passing the bill “ *For regulating Elections of Representatives in General Assembly, and for limiting the Duration of Assemblies in this Province*” with amendments.—

Read the first time as sent from the Council

Bill read.

“ *A Bill for the Relief of insolvent Debtors.*”

Bill brought in and read.

“ *A Bill for laying an Impost*” was brought in by the committee appointed for that purpose—and Read the first time.

House adjourned.

The House adjourned until 11 o'clock to-morrow.

S A T U R D A Y, the 19th FEBRUARY 1791.

A sufficient number of Members, to compose a House not attending.

Adjourned until Monday next at 11 o'clock.

MONDAY, the 21st FEBRUARY 1791.

The order of the day being read,

The

The Committee appointed to examine the accounts of the expenditure of the sum granted for erecting a *Light House on Partridge Island* —made the following report.—

Report of a  
Committee.

“ That they have examined and compared the vouchers and receipts with the account current, and it appears that the sum of £ 256 10 10 has been expended above the sums granted by this House for that purpose.”

*Ordered*, That the said report lie on the table.

Report of the  
Hon. Mr. Blifs,

The Honorable *Daniel Blifs*, Esq. made a report of his expenditure of money on the road from *Fredericton* to *Saint John* and—

and Mr. Hub-  
bard.

*Mr. Hubbard* member for *Sunbury* made a report of his expenditure of the sum granted for the purpose of opening a road from *Fredericton* to *Saint John* through or near the settlements over the highlands on the western side of the river *Saint John*, the state of the said road in the said county and the sum that will probably be necessary to complete the same.

Which was *Ordered*, To lie on the table.

Petition brought  
up,

*Mr. Hubbard*, by leave brought up a petition from the Magistrates of the county of *Sunbury*.

and read.

Which was read and *Ordered*, To lie on the table.

Read the second time as sent from the Council.

Bill read.

“ *A Bill for the Relief of insolvent Debtors*”

*Ordered*, That the consideration of the said bill be postponed for six months.

Read the second time.

Bills read.

“ *A Bill to define and describe the Crime of Petit Larceny*—and

“ *A Bill to enable persons of the Roman Catholic Persuasion to vote for Members to serve in General Assembly for this Province.*”

*Ordered*, That the said bills be committed.

Bill read.

“ *A Bill in addition to, an Act entitled, An Act for regulating Juries and declaring the Qualifications of Jurors.*”

Was read the first and second time, and *Ordered*, To be committed.

Read the second time

“ *A Bill for fixing the Times and Places of holding the Sittings of the Supreme Court in this Province.*”—and Bills read.

“ *A Bill for laying an Impost.*”

Ordered, That the said-bills be committed.

Read,

“ *A Bill for regulating Elections of Representatives in General Assembly, and for limiting the Duration of Assemblies in this Province.*” as sent from the Council with amendments. Bill read with amendments,

The House concurred in the said amendments and Ordered, and concurred.  
The bill to be returned to the Council.

“ *A Bill to oblige Masters of vessels coming from Ports out of the Province to report the Names and Number of their Passengers, and to take back such of the said Passengers as shall not comply with the Regulations of the Act.*” Bill read.

Was read the second time—and

“ Ordered, To be committed.

A message from the Council informing the House that they had concurred in passing “ *A Bill to continue an Act intituled An Act to authorize the Erection of Fences and Gates across certain Roads in the several Counties in this Province where the same shall be found necessary.*” and Message from the Council.

“ *A Bill to declare that no Law passed in the General Assembly of the Province of Nova-Scotia before the Erection of the Province of New-Brunswick shall be of force in this Province.*” with an amendment.

The House concurred in the amendment and Ordered, The said bill to be returned to the Council.

A petition from *William Campbell, Esquire*, complaining of an undue election in the city of *Saint John*— Petition brought up,

is brought up by leave and read.

Ordered, That the consideration of the said petition be referred to Thursday next. and read.

House in Committee.

House in committee.

Mr. *Robert Pagan* in the chair.

Went again into the consideration of “ *A Bill for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery and Fornication.*” 2



The *Speaker* resumed the chair.

Report of the  
committee.

The chairman reported that the committee had gone through the said bill and amended the same.—And that on a motion for an amendment to be inserted in the third section in these words “ *Provided always that nothing in this Act contained shall extend or be construed to extend to prevent any Minister of the Kirk of Scotland regularly ordained according to the Rites thereof from celebrating and solemnizing Marriage agreeable to the Forms and Usages of that Church*” a motion had been made for an amendment to insert after the word Church “ *between Persons of that Communion.*”——Upon which the Committee divided

Mr. HARDY,	}	YEAS.
Mr. CHIPMAN,		
Mr. SPEAKER,		
MAJOR COFFIN,		
MAJOR MURRAY,		
CAPTAIN LYMAN,		
CAPTAIN ATWOOD,		
Mr. ROGERS,		
Mr. DIXON,		
Mr. YEAMANS,		
Mr. DICKENSON,		
CAPTAIN CLINCH, and		
Mr. HUBBARD.		

Mr. W. PAGAN,	}	NAYS.
Mr. GLENIE,		
Mr. JAMES CAMPBELL,		
Mr. COLIN CAMPBELL,		

*Ordered*, That the report be accepted, and that the said bill, stand for a third reading to-morrow.

House adjourn-  
ed.

The House adjourned until 10 o'clock to-morrow.

TUESDAY, the 22<sup>d</sup> FEBRUARY 1791,

The order of the day being read.

Read as engrossed,

Bill read

“ *A Bill for fixing permanently the Boundary Lines between the different Grants in this Province.*”

Which was agreed to—and

and sent up.

*Ordered*, To be sent up for concurrence.

House

House in Committee.

Mr. *James Campbell* in the chair.

Took into consideration “ *A Bill in addition to an Act for regulating Juries and declaring the Qualifications of Jurors.*” House in committee.

The *Speaker* resumed the chair.

The chairman reported that the committee had gone through the said bill and agreed to the same— Report of the committee.

Which report was accepted and the said bill being read was agreed to—and

*Ordered*, To be engrossed.

House in Committee.

Mr. *Hardy* in the chair.

Took into consideration “ *A Bill to define and describe the Crime of Petit Larceny.*” House in committee.

The *Speaker* resumed the chair and the chairman reported that the Committee had gone through the said bill and had agreed thereto— Report of the committee.

*Ordered*, That the report be accepted—

And the bill, being read was agreed to—and

*Ordered*, To be engrossed.—

House in Committee.

Major *Coffin* in the chair.

Took into consideration “ *A Bill to explain and amend an Act intituled an Act for regulating Servants.*” House in committee.

The *Speaker* resumed the chair.

The chairman reported—That the Committee had gone through the bill and agreed to the same with amendments— Report of the committee.

Which report was accepted—and the said bill being read was agreed to as amended,—and

*Ordered*, To be engrossed.—

House in Committee.

Mr. *Chipman* in the chair.

Took into consideration “ *A Bill to enable the Justices of the*” House in committee.

*Supreme*

“ *Supreme Court to issue Commissions for the examining of Witnesses out of the Province.*”

The *Speaker* resumed the chair.

Report of the committee.

The chairman reported that the committee had gone through the said bill and agreed to the same.

Which report was accepted—and the said bill, being read, was agreed to—and

*Ordered,* To be engrossed.

House in committee.

Major *Murray*, in the chair.

House in committee.

Took into consideration “ *A Bill to establish a Public Ferry from the Mouth of the River Nashwaack to Fredericton and also across the Mouth of the said River Nashwaack.*”

The *Speaker* resumed the chair.

Report of the committee.

The chairman reported the bill with amendments by the title of “ *A Bill to settle the Rates of Ferries kept from each side of the Mouth of the Nashwaack River across the River Saint John to Saint Ann's Point or Fredericton, and also the Rates of Ferry across the Mouth of the said River Nashwaack.*”

*Ordered,* That the said report be accepted and that the said bill stand for a third reading to-morrow.

Read the third time.

Bill read.

“ *A Bill for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery and Fornication.*”

Motion for an amendment.

Upon which a motion was made for an amendment to strike out the words “ *Of the Church of England.*”

Upon which the House divided.

Mr. GLENIE,	} YEAS.
Mr. R. PAGAN,	
Mr. W. PAGAN,	
Mr. JAMES CAMPBELL,	
Mr. COLIN CAMPBELL,	
Mr. DIXON.	

CAPTAIN LYMAN,	}	N A Y S.
Mr. CHIPMAN,		
Mr. YEAMANS,		
MAJOR MURRAY,		
MAJOR COFFIN,		
CAPTAIN CLINCH,		
Mr. HUBBARD,		
Mr. ROGERS,		
Mr. HARDY,		
CAPTAIN ATWOOD, and		
Mr. DICKENSON.		

And the question being put whether the said bill do pass.

The House again divided.

CAPTAIN LYMAN,	}	Y E A S.
Mr. CHIPMAN,		
Mr. YEAMANS,		
MAJOR MURRAY,		
MAJOR COFFIN,		
Mr. HUBBARD,		
Mr. ROGERS,		
Mr. HARDY,		
CAPTAIN ATWOOD, and		
Mr. DICKENSON.		

Mr. GLENIE,	}	N A Y S.
Mr. R. PAGAN,		
Mr. W. PAGAN,		
Mr. DIXON,		
CAPTAIN CLINCH,		
Mr. JAMES CAMPBELL, and		
Mr. COLIN CAMPBELL.		

Thereupon *Ordered*, That the said bill be engrossed.

House in committee—

Mr. *Hardy* in the chair.

Took into consideration “ *A Bill to oblige Masters of Vessels coming from Ports out of the Province to report the Names and Number of their Passengers and to take back such of the said Passengers as shall not comply with the Regulations of the Act.*” House in committee.

The *Speaker* resumed the chair,—

The chairman reported that the committee were of opinion that the consideration of the said bill should be postponed for six months. Report of the committee.

**L**

*Ordered,*

*Ordered*, That the said report be accepted.

House in committee.

Major *Murray* in the chair.

House in committee.

Took into consideration “ *A Bill for fixing the Times and Places of holding the Sittings of the Supreme Court in this Province.*”

The *Speaker* resumed the chair.

Report of the committee.

The chairman reported that the committee had gone into the consideration of the said bill and agreed to the same.

Which report was accepted and the bill being read was agreed to,—and

*Ordered*, to be engrossed—

House in committee.

Captain *Lyman*, in the chair,

House in committee.

Took into consideration “ *A Bill to enable Persons of the Roman Catholic Persuasion to vote for Members to serve in General Assembly for this Province.*”

The *Speaker* resumed the chair.

Report of the committee.

The chairman reported that the committee had gone into the consideration of the said bill and agreed to the same—

*Ordered*, That the report be accepted and that the said bill stand for a third reading to-morrow.

Message from the Council.

A message from the Council informing the House that they had concurred in passing “ *A Bill in addition to and in amendment of an Act intituled An Act for laying out, repairing and amending Highways, Roads and Streets, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province.*” with amendment.

On motion made and seconded,

Resolve.

*Resolved*, That the motion for expunging the words “ *Of the Church of England*” in the bill for regulating marriage and divorce, was not, in the opinion of this House, meant to exclude the Clergy of the Church of England from celebrating marriage—But intended to extend the same liberty to Clergy of all denominations to celebrate marriage among persons of their own persuasions—

The further consideration of His Excellency's speech is postponed until to-morrow.

Consideration of His Excellency's speech postponed.

The House adjourned until 10 o'clock to-morrow morning.

House adjourned.

WEDNESDAY, the 23<sup>d</sup> FEBRUARY 1791.

The order of the day being read—

Read as engrossed.

“ A Bill for regulating Marriage and Divorce and for preventing and punishing Incest, Adultery and Fornication ”—and

Bills read

“ A Bill to define and describe the Crime of Petit Larceny ”—

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

and sent up.

Read the second time.

“ A Bill for Relief of confined Debtors ” and

Bills read,

“ A Bill for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province.”

Ordered, That the said bills be committed.

The Committee appointed to examine the accounts referred to in the petition preferred to the House by *William Sanford Oliver, Esq.* made the following report:

“ That they find the sum of £ 67 19 already paid to *William Sanford Oliver, Esq.* was intended to pay off the different charges made for monies disbursed and provisions supplied by him—and

Report of a committee.

“ That they do not think themselves competent to report as to the propriety either of rejecting the remaining charges in that account or of advising the payment of them.”

House in Committee.

House in committee.

Mr *Chipman* in the chair.

The *Speaker* resumed the chair and the chairman reported that the Committee had again gone into the consideration of His Excellency's Speech—and directed him to report a progress and request leave to sit again.

Report of the committee.

Ordered, That the said report be accepted.

Read the third time,

Bill read, " *A Bill to enable Persons of the Roman Catholic Persuasion to vote for Members to serve in General Assembly for this Province.*"

and postponed. *Ordered*, That the consideration of the said bill be postponed for six months.

Read,

Bill read with amendments, " *A Bill in addition to and in amendment of an Act intituled An Act for laying out repairing and amending Highways, Roads and Streets and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province.*" as sent from the Council with amendments.

and concurred. The House concurred in the amendments and *Ordered*, The bill to be returned to the Council.

Read,

Bill read. " *A Bill to settle the Rates of Ferries kept from each side of the Mouth of the Nashwaack River across the River Saint John to Saint Ann's Point or Fredericton, and also the Rates of Ferry across the Mouth of the said River Nashwaack.*"—as reported by the committee of the whole House.

*Ordered*, That the said bill be re-committed.

House in committee.

House in committee.

Major Murray, in the chair.

Report of the committee.

The *Speaker* resumed the chair,—and the chairman reported that the committee had again gone into the consideration of the said bill and agreed to the same with amendments by the title of " *A Bill to settle the Rates of the Ferries kept from each side of the Mouth of the Nashwaack River across the River Saint John to and from Fredericton, and also the Rates of Ferriage across the Mouth of the said River Nashwaack.*"

Which report was accepted, and the bill being read was agreed to as amended, and *Ordered*, To be engrossed.

Message from the Council.

A message from the Council informing the House that they had concurred in passing " *A Bill for the Recovery of small Debts.*" with amendments.

The House concurred in the amendments and *Ordered*, The bill to be returned to the Council.

House in Committee.

Mr. Hubbard in the chair.

Took

Took into consideration "*A Bill for the Support and Relief of confined Debtors.*" House in committee.

The *Speaker* resumed the chair.

The chairman reported—That the committee had gone into the consideration of the said bill and agreed to the same with amendments, Report of the committee.

Which report was accepted—and the bill being read, was agreed to as amended,—and

*Ordered*, To be engrossed.—

Read the third time as engrossed.

"*A Bill to define and describe the Crime of Petit Larceny.*" Bills read

"*A Bill in addition to an Act intituled An Act for regulating Juries and declaring the Qualifications of Jurors.*"—and

"*A Bill to explain and amend an Act intituled An Act for regulating Servants.*"

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

"*A Bill for fixing the Times and Places of holding the Sittings of the Supreme Court in this Province.*" Bill read

Was read the third time as engrossed—and upon the question being put whether the said bill do pass—

The House divided,

Mr. DIXON,	}	YEAS.
Mr. W. PAGAN,		
Mr. R. PAGAN,		
Mr. JAMES CAMPBELL,		
Mr. COLIN CAMPBELL,		
Mr. GLENIE,		
CAPTAIN CINCH,		
Mr. YEAMANS, and		
Mr. ROGERS.		

MAJOR COFFIN,	}	NAYS.
MAJOR MURRAY,		
CAPTAIN LYMAN,		
CAPTAIN ATWOOD, and		
Mr. HUBBARD.		

Thereupon *Ordered*, That the said bill be sent up for concurrence. and sent up



House in Committee.

Captain *Clinch* in the chair.

House in committee.

Took into consideration “ *A Bill for altering the Times of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in King’s County.*”

The *Speaker* resumed the chair.

Report of the committee.

The chairman reported the bill with amendments by the title of “ *A Bill for altering the Times of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the Counties therein mentioned.*”

Which report was accepted and the bill being read was agreed to as amended—and

*Ordered*, To be engrossed.

Consideration of His Excellency’s speech postponed.

The further consideration of His Excellency’s speech is postponed until to-morrow.

House adjourned.

The House adjourned ’till 9 o’clock to-morrow morning.

THURSDAY the 24th FEBRUARY 1791.

The order of the day being read.

Read as engrossed.

Bills read

“ *A Bill to enable the Justices of the Supreme Court to issue Commissions for the examining of Witnesses out of the Province.*”  
—and

“ *A Bill for altering the Times of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the Counties therein mentioned.*”

and sent up.

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

Bill read.

“ *A Bill for the Security and Protection of certain Islands in the River Saint John*” was read the first and second time—and

*Ordered*, To be committed.

Read the first time.

Bill read.

“ *A Bill for appropriating and disposing of the Public Monies.*”

House in Committee.

Mr.

Mr. *Dixon* in the chair.

Took into consideration “ *A Bill for the Security and Protection of certain Islands in the River Saint John.*” House in committee.

The *Speaker* resumed the chair.

The chairman reported that the committee had gone into the consideration of the said bill and had directed him to report a progress and request leave to sit again. Report of the committee.

*Ordered*, That the said report be accepted.

House in committee.

Mr. *R. Pagan* in the chair.

Took into consideration “ *A Bill for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province.*” House in committee.

The *Speaker* resumed the chair.

The chairman reported a progress on the bill.— Report of the committee.

And requested leave to sit again.

*Ordered*, That the said report be accepted.

House in committee. House in committee.

Mr. *Chipman* in the chair.

The *Speaker* resumed the chair,—and the chairman reported that the committee had again gone into the consideration of His Excellency’s speech and had directed him to report a progress and request leave to sit again— Report of the committee.

*Ordered*, That the said report be accepted—And that the further consideration of His Excellency’s speech be postponed until to-morrow. Consideration of His Excellency’s speech postponed.

The House adjourned until 10 o’clock to-morrow. House adjourned.

FRIDAY the 25th FEBRUARY 1791.

The order of the day being read.

The House resolved itself into a committee.

House in committee.

Mr. *Dixon*, in the chair

The *Speaker* resumed the chair—and received the report that the committee had again gone into the consideration of the bill Report of the committee.

“ For

“ *For the Security and Protection of certain Islands in the River Saint John.*” and agreed to the same.

Which report was accepted and the bill being read was agreed to,—and

*Ordered,* To be engrossed.

House in committee.

Captain *Clinch* in the chair.

House in committee.

Took into consideration “ *A Bill for laying an Impost.*”

The *Speaker* resumed the chair.

Report of the committee.

The chairman reported, that the committee had gone into the consideration of the said bill and had made a progress therein—and requested leave to sit again

*Ordered,* That the said report be accepted.

The further consideration of His Excellency’s speech is postponed until to-morrow.

The House adjourned till 12 o’Clock to-morrow.

---

S A T U R D A Y, the 26th FEBRUARY 1791.

The order of the day being read—

Message from the Council.

A message from the Council informing the House that they had concurred in passing,

“ *A Bill for regulating Marriage and Divorce and for preventing and punishing Incest, Adultery and Fornication.*”—

“ *A Bill in addition to an Act intituled An Act for regulating Juries and declaring the Qualifications of Jurors—*and,

“ *A Bill to define and describe the Crime of Petit Larceny.*”—

And also informing the House that they had concurred in passing,

“ *A Bill for fixing permanently the Boundary Lines between the different Grants in this Province*” with an amendment—

The House concurred in the amendment—and *Ordered,* The bill to be returned to the Council.

Bill read.

“ *A Bill for the Relief of Debtors with respect to the Imprisonment of their Persons.*”

Was read the first time as sent from the Council.

The further consideration of His Excellency's speech is postponed until Monday next.

Consideration of His Excellency's speech postponed.

The House adjourned until Monday next 10 o'clock.

House adjourned.

M O N D A Y, the 28th FEBRUARY 1791.

The order of the day being read.—

Major Murray, by leave brought up a petition from the principal settlers on the river *Nashwaack* praying a further assistance to enable them to complete the road from *Frederickton* to the settlements on the said river.

Petition brought up.

Which was read and *Ordered*, To be taken into consideration in committee of the whole House on the "*Bill for appropriating and disposing of the public Monies.*"

and read.

House in committee.

Captain *Clinch* in the chair.

Went again into the consideration of "*A Bill for laying an Impost.*"

House in committee.

The *Speaker* resumed the chair.

The chairman reported that the committee had again taken the said bill into consideration and made a progress therein—

Report of the committee.

And requested leave to sit again—

*Ordered*, That the said report be accepted.

The Clerk of the Crown attended with a writ for the election of a member for the county of *York* in the room of *Edward Stelle*, Esquire, by the return of which *John Saunders*, Esquire, appears duly elected.

Member for York county returned.

*Ordered*, That *Mr. Chipman* and *Mr. Hardy* attend to see him qualified.

Who attended accordingly and reported that he had taken the usual oaths.

Thereupon *Ordered*, That he take his seat.

"*A Bill to continue an Act intituled An Act for laying an Impost.*"

Bill read.

L.

Was

Was read the first and second time and *Ordered*, To be committed—

House in committee.

Mr. *Chipman* in the chair.

House in committee.

Took into consideration “ *A Bill to continue an Act intituled “ An Act for laying an Impost.”*”

The *Speaker* resumed the chair,—

Report of the committee.

The chairman reported that the committee had gone into the consideration of the said bill and agreed to the same—

Which report was accepted and the bill being read was agreed to—and

*Ordered*, To be engrossed—

House in committee.

House in committee.

Mr. *R. Pagan*, in the chair.

Report of the committee.

Went again into the consideration of “ *A Bill for regulating “ the Fisheries in the different Rivers, Coves and Creeks of this “ Province.”*—

The *Speaker* resumed the chair and received the report that the committee had gone through the said bill and amended the same.

And that on a question whether the following proviso should be inserted in the first clause of the bill to wit “ *Provided always, That nothing herein contained shall extend to prevent “ any Proprietor or Proprietors of Lands in this Province from erecting “ Wears upon the Flats between high and low water Marks “ in the respective Fronts of their Lands, or drawing Seines upon the “ Shores in their respective Fronts, or setting Nets in their respective “ Fronts under the Regulations herein after mentioned, which such “ Proprietor or Proprietors respectively are hereby authorized and “ impowered to do to the Exclusion of all other Persons whatsoever, “ without his or their License and Consent.”*”

The committee had divided.

Mr. SPEAKER,  
MAJOR MURRAY,  
MAJOR COFFIN,  
CAPTAIN LYMAN,  
CAPTAIN CLINCH,  
Mr. JAMES CAMPBELL,  
CAPTAIN ATWOOD,  
Mr. CHIPMAN, and  
Mr. GLENIE.

YEAS.

JUDGE SAUNDERS,  
 Mr. DIXON,  
 Mr. HARDY,  
 Mr. COLIN CAMPBELL,  
 Mr. DICKENSON,  
 Mr. ROGERS,  
 Mr. W. PAGAN, and  
 Mr. YEAMANS.

} NAYS.

*Ordered*, That the said report be accepted and that the third reading of the said bill be postponed until to-morrow—

House in committee—

House in committee.

Mr. *Chipman* in the chair.

The *Speaker* resumed the chair and received the report that the committee had again gone into the consideration of the petition of *Jonathan Leavitt*, and had directed him to report that the committee had come to the following resolution.

Report of the committee.

*Resolved*, That it is the opinion of this committee in case the petitioner *Jonathan Leavitt* introduce into this province the improved method of manufacturing *Pot* and *Pearl Ashes* stated in his petition, and it shall be made to appear to be an original discovery or invention of his own, and shall be attended with the advantages over the process formerly in use which are also stated in his petition, that the House of Assembly will hereafter grant him such premium or bounty therefor as the merit and utility of the discovery may be thought to entitle him unto—

*Ordered*, That the said report be accepted.

The committee appointed to examine the Treasurers accounts made a report thereof with sundry papers relating thereto.

Treasurer's accounts.

Which were read—and—

*Ordered*, to be referred to the committee of the whole House on the bill "*For laying an Impost.*"

The further consideration of His Excellency's speech is postponed until to-morrow.

Consideration of His Excellency's speech postponed.

The House adjourned until 10 o'clock to-morrow.

House adjourned.

T U E S D A Y, the 1st MARCH 1791.

The order of the day being read.

Read, as engrossed.

— A

- Bills read      “ *A Bill for the Security and Protection of certain Islands in the River Saint John.*”—And  
                     “ *A Bill to continue an Act intituled An Act for laying an Impost.*”
- and sent up.      *Ordered,* That the said bills pass and be sent up for concurrence.
- Resolve,          *Resolved unanimously,* That the order of this House made in the last session of the General Assembly declaring “ *That in future if any Member of this House should absent himself one whole Session without reasonable excuse to be approved of by the House his Seat should thereby become vacant*” be and the same is hereby rescinded and declared void.
- Read,*
- Bill read.        “ *A Bill for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province.*” as reported by the committee of the whole House yesterday.
- Which was agreed to with amendments—and  
                     *Ordered,* To be engrossed.
- Message from the Council.      A message from the Council informing the House that they had concurred in passing “ *A Bill for altering the Times of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the Counties therein mentioned.*” with an amendment—
- The House concurred in the amendment and *Ordered,* The bill to be returned to the Council.
- Order for the Treasurer's delivering up bonds.      *Ordered,* That the Treasurer be directed to deliver up the bonds given for the security of the payment of the duty commonly called the transient duty upon the stores and provisions for His Majesty's troops in this province imported into the city of Saint John during the last summer from Great-Britain or Ireland, indirectly by the way of Halifax in order that the same may be cancelled—
- House in committee.
- Captain *Clinch* in the chair.
- House in committee.      Went again into the consideration of “ *A Bill for laying an Impost.*”
- Report of the committee.      The *Speaker* resumed the chair,—and received the report that the committee had made a further progress on the said bill—And requested leave to sit again.

*Ordered,*

Ordered, That the said report be accepted.

The further consideration of His Excellency's speech is postponed until to-morrow.

Consideration of His Excellency's speech postponed. House adjourned.

The House adjourned until 9 o'clock to-morrow morning.

W E D N E S D A Y, the 2d MARCH 1791.

The order of the day being read.

A message from the Council with "A Bill to enable the Justices of the Peace for the Time being in several Counties in this Province to receive for public Uses Grants of Markets and Ferries within such Counties."

Message from the Council.

And also informing the House that they had concurred in passing "A Bill to enable the Justices of the Supreme Court to issue Commissions for the Examining of Witnesses out of the Province."

Read the first time as sent from the Council—

Bill read

"A Bill to enable the Justices of the Peace for the Time being in several Counties in this Province to receive for public Uses Grants of Markets and Ferries within such Counties."

House in committee.

House in committee.

Captain Clinch in the chair.

Went again into the consideration of "A Bill for laying an Impost."

The Speaker resumed the chair.

The chairman reported—That the committee had again gone into the consideration of the said bill and agreed to the same with amendments;

Report of the committee.

And the chairman further reported that the committee had taken into consideration the report of the select committee upon the Treasurer's accounts and approved of the same and recommended the same to be adopted and approved by the House, and is as follows.

"The committee appointed to examine the Treasurer's accounts since the report last made to the House, have, agreeable to an order, inspected the same and received papers and evidence concerning them—They find that in the Treasurer's department there have been very great irregularities and important deviations from the Impost Law of this province—In Justice to

Report of the select committee on the Treasurer's accounts.

M.

Mr.



“ Mr. *Leydick* they cannot help observing that the general accuracy of his information is corroborated by revenue papers to which they can hardly suppose he could have had access— One circumstance appears on the face of the proceedings concerning which the committee decline offering any opinion.— The brig *Active* from *New-York* entered with certain dutiable articles at the Naval-Office the 30th of *August* last, and cleared out for *Jamaica* the 25th of *September* without any of the said articles on board—No mention is made of her in his accounts.—

“ The above mentioned irregularities do not appear however to them from a general view of the whole to have proceeded from an intention on his part of injuring the revenue, but from local situations and circumstances and a humane wish to accommodate individuals on difficult and distressing occasions.

“ They subjoin for the information of the House a state of the duties as by the annexed account No. 1. amounting in all to the sum of £1569 17 7 in which they find a small error of 9 0  $\frac{3}{4}$  in adding up the sum total under the head of duties for the city and county of *Saint John*—They also add a particular account of the entries of all vessels with the quantity of dutiable articles on board marked No. 2. and also the account current No. 3. by which there appears a ballance due to the province in the hands of the Treasurer of £1207 7 5  $\frac{1}{2}$

(Signed)

“ JAMES GLENIE,  
“ DANIEL LYMAN,  
“ PETER CLINCH.”

(No. 1.)

DUTIABLE GOODS imported into the PROVINCE of  
NEW-BRUNSWICK.

CITY and COUNTY of ST. JOHN from 10th October 1789  
to 17th January 1791.—

804 Puncheons	} Rum, 86218 Gallons at 2d	£725 0 11	
7 Hhds & Tierces			
3 Barrels,			
34 Hogsheds,	} Cwt. qrs. lbs.	Sugar, 735 1 23 at 2s	73 10 0
34 Tierces,			
43 Barrels,			
2722 Barrels Flour,	} 3037 Barrels	at 2s	302 15 0
305 do. Midlings,			
10 do. Cornell,			
1174 Bils. Rye Flour & Meal,	} £ s. d.	1001 5 11 at 5 pr Ct.	47 16 3 $\frac{1}{2}$
2 Hogsheds Tobacco,			
12 Barrels of Peas,			
30 Barrels Naval Stores,			
35 Casks, Barrels & Bags Coffee, 7761 lbs at 1d			32 16 9
Goods sold at Auction	£1134 12 5 at 2 $\frac{1}{2}$ pr Ct.		28 7 3 $\frac{3}{4}$
Amount of transient Tax,	£4324 4 4 $\frac{1}{4}$ at 5 pr Ct.		216 4 2 $\frac{1}{2}$

Total amount for the CITY of ST. JOHN, £1426 1 5

Amount brought forward - - £ 1426 1 5  
 CHARLOTTE COUNTY, from 4th July 1788, to the 3d  
 October, 1789.

35 Puncheons Rum, at 12/6d. £ 21 17 6  
 Cwt. qrs. lbs.  
 Sugar, 48 0 0 at 2f. 4 16 0  
 £ 26 13 6

DITTO to 25th October, 1790.

Rum, 7997 Gallons, at 2d 66 12 10  
 Cwt. qrs. lbs.  
 Sugar, 27 2 19 at 2f 2 15 3  
 24 Barrels Flour, at 2f 2 8 0  
 Transient Tax, amt. £ 392 12 3 at 5 pr Ct. 19 12 7

Commissions collecting 10 per Cent. £ 118 2 2  
 11 16 2½

Total amount CHARLOTTE COUNTY,  
 1790 WESTMORLAND COUNTY to the 18th Nov. 106 5 11½

Rum, 360 Gallons - - at 2d £ 3 0 0  
 Cwt. qrs. lbs.  
 Sugar, 16 3 6 - at 2f 1 13 7  
 £ 4 13 7  
 Commissions collecting at 10 per Cent. 9 4½

Total amount for WESTMORLAND,  
 NORTHUMBERLAND COUNTY, 1788. 4 4 2½

20¼ Puncheons Rum, - at 12/6 £ 12 14 0  
 Coffee, 326 lbs. - - at 1d 1 7 2  
 Sugar, 2500 lbs. - - - 3 10 0  
 £ 17 11 2

DITTO 1789 to the 18th November

20 Puncheons Rum, - at 12/6 12 10 0  
 Cwt. qrs. lbs.  
 Sugar, 6 3 0 at 2f 0 13 6  
 Transient Tax amt. £ 227 7 3 at 5 per Cent. 5 13 8

Commissions collecting 10 per Cent. 36 8 4  
 3 12 10

Total amount for NORTHUMBERLAND,  
 YORK COUNTY. 32 15 6

Goods sold at Auction, amt. £ 0 18 0 at 2½ pr Ct. 0 0 5½  
 £ 1569 7 6½

Frederickton, 17th Feb. 1791.—

(Signed)

RICHARD SEAMAN,  
 P. Treasurer.

(No. 3.)

Dr. RICHARD SEAMAN, *Treasurer* in account with the Province of New-Brunswick.

Paid fundry warrants of the } £ 1734 15 9  
GOVERNOR amounting to

By cash that remained in the Treasury last session granted for } £ 120 0 0  
the purpose of erecting a LIGHT HOUSE.

By ditto remaining in the Treasury on a warrant payable } 75 0 0  
to the members of *St. John* and *Westmorland*, and GEORGE  
LEONARD, Esq. for the purpose of opening the road be-  
tween the city of *St. John* and *Westmorland*.

By cash in the Treasury as per account rendered the } 1177 6 7  
*House of Assembly* last session.

Balance due the province, 1206 18 4½

By amount of cash raised in the province as per account ren- } 1569 7 6½  
dered the *House of Assembly*.

£ 2941 14 1½

£ 2941 14 1½

FEBRUARY 17th 1791.

(Signed)

RICHARD SEAMAN,  
*P. Treasurer*

A GENERAL ACCOUNT of GOODS imported into the Port of Saint John, (New-Brunswick) subject to a Duty at the TREASURY OFFICE.

Table with columns: Time of Entry, Ship and Masters Names, From what Port, Auctioneer's accounts, Transient Tax, Hhds. Tobacco, Bbls. Pear, Bbls. N. Stores, Flour, Middlings, Cornell, Rye Flour, COFFEE, SUGAR, R U M, Amount of Goods subject to a duty of £ 5 per cent., Total amount.

Deduct difference in calculating,



Ordered, That the said report be accepted.

And that the third reading of the bill "*For laying an Impost*" be postponed until to-morrow.

The further consideration of His Excellency's speech is postponed until to-morrow.

Consideration of His Excellency's speech postponed.

The House adjourned until 9 o'clock to-morrow morning.—

House adjourned.

T H U R S D A Y, the 3d MARCH 1791.

The order of the day being read.—

Read as engrossed.

" *A Bill for regulating the Fisheries in the different Rivers, Coves and Creeks in this Province.*" and—

Bills read,

" *A Bill for the Support and Relief of confined Debtors.*"

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

and sent up.

" *A Bill for laying an Impost.*"

Bill read,

Was read the third time—and—

Ordered, To be engrossed.—

Read the second time.

" *A Bill to enable the Justices of the Peace for the Time being in several Counties in this Province to receive for public Uses, Grants of Markets and Ferries within such Counties.*"

Bill read;

Ordered, That the consideration of the said bill be postponed for three months.

and postponed,

" *A Bill for appropriating and disposing of the Public Monies.*"

Bill read,

Was read the second time, and—

Ordered, To be committed,

House in committee.

Mr. Hubbard in the chair.

Took into consideration "*A Bill for appropriating and disposing of the Public Monies.*"

Bill in committee.

The *Speaker* resumed the chair.

Report of the  
committee.

The chairman reported that the committee had gone into the consideration of the said bill and had directed him to report a progress therein and request leave to sit again.

And that the committee had come to the following resolutions.

Resolve.

“ *Resolved*, That it be recommended to the House to grant to the counties of *Queen's* and *Northumberland* the usual assistance in building Goals and Court-Houses whenever such buildings shall be begun in those counties.

Resolve.

“ *Resolved*, That it is the opinion of this committee that commissioners be appointed by the House to prepare and report at the next session a plan and estimate of the expence of proper buildings for the accommodation of the *General Assembly* and the Courts of Justice and that the sum of £ 100 be granted to the said commissioners to purchase such boards and plank therefor as may require seasoning before they are wrought up.”

*Ordered*, That the said report be accepted.

Committee ap-  
pointed.

And that the Honorable *George Duncan Ludlow* and *John Saunders*, Esquires, *James Glenie*, *Daniel Murray* and *Daniel Eymann*, Esquires, be and they are hereby appointed commissioners to prepare a plan and estimate of the expence of proper buildings for the accommodation of the *General Assembly* and Courts of Justice at such place as His Excellency the Lieutenant Governor shall point out; And that the said sum of £ 100 be paid by the Treasurer of the province to the said commissioners out of any monies hereafter to be received into the Treasury by warrant from the Lieutenant Governor or Commander in Chief for the time being with the advice and consent of His Majesty's Council, which warrant His Excellency is hereby requested to issue for that purpose.

Message from  
the Council.

A message from the Council informing the House that they had concurred in passing “ *A Bill for the Security and Protection of certain Islands in the River Saint John.*”—And

“ *A Bill to continue an Act intituled An Act for laying an Impost.*”

House adjourn-  
ed.

The House adjourned until 9 o'clock to-morrow morning.

F R I D A Y, the 4th MARCH 1791.

The order of the day being read.

Read, as engrossed.

“ *A Bill for laying an Impost.*”

Bill read,

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

House in committee—

House in committee.

Mr. Hubbard in the chair.

The Speaker resumed the chair and received the report that the committee had again gone into the consideration of “ *A Bill for appropriating and disposing of the Public Monies*” and had agreed to the same with amendments.

Report of the committee.

Which report was accepted and the bill being read was agreed to—and

Ordered, To be engrossed—

A message from the Council informing the House that they had concurred in passing “ *A Bill for the Support and Relief of confined Debtors.*”

Message from the Council.

And also informing the House that they had concurred in passing “ *A Bill for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province*” with an amendment to be added to the 13th Section in these words “ *Provided also and be it further enacted, That all and every of His Majesty's Subjects owning, or lawfully possessing lands bounding on any River, Cove or Creek in this Province, shall have and be deemed to have the sole and exclusive Right of taking Fish on the Shores thereof to low water Mark; and no Person or Persons whatever, shall or may lawfully set or erect any Net, Wear or Fish-garth, or draw any Seine on the said Shores of such Rivers, Coves or Creeks between high and low water Marks, except the Owner or Owners, or lawful Possessor or Possessors thereof, or Persons by virtue of their Leave or License, any Law, Usage or Custom to the contrary notwithstanding.*”

And upon the question being put whether the House concurred in the said amendment.



The following division took place—viz.

Mr. JAMES CAMPBELL,	}	YEAS.
CAPTAIN LYMAN,		
Mr. HUBBARD,		
CAPTAIN ATWOOD,		
MAJOR COFFIN,		
Mr. GLENIE,		
CAPTAIN CLINCH,		
Mr. CHIPMAN, and MAJOR MURRAY.		

JUDGE SAUNDERS,	}	NAYS.
Mr. R. PAGAN,		
Mr. W. PAGAN,		
Mr. ROGERS,		
Mr. COLIN CAMPBELL,		
Mr. DIXON,		
Mr. YEAMANS,		
Mr. HARDY, and Mr. DICKENSON.		

Upon which Mr. Speaker decided the question in favour of the amendment.

Thereupon *Ordered*, That the said bill be returned to the Council.

Read the second time.

Bill read “ *A Bill for the Relief of Debtors with respect to the Imprisonment of their Persons.*”

and postponed. *Ordered*, That the consideration of the said bill be postponed for three months—

Petition of W. Campbell, Esq. The House went into the consideration of the petition of *William Campbell*, Esquire, complaining of an undue return made by the sheriff of the city and county of St. John, on the writ for electing a member to serve in Assembly for the said city and county in the room of *Stanton Hazard*, Esquire, deceased.

postponed. On motion *Ordered*, That the consideration of the said petition be postponed for three months.

Order for printing Acts and Journals. Committee appointed. *Ordered*, That two hundred copies of the Acts passed in the present session and of the Journals of the Votes and Proceedings of this House be printed; and that the *Attorney General*, Mr. Hardy and Mr. Chipman be a committee to superintend printing the same.

*Ordered.*

*Ordered also*, That the copies of the Laws be distributed in the following manner, viz. to the Governor and each Member of the Legislature, Secretary of the Province, Treasurer of the Province, each Justice of the Peace, Clerk of each Town, County Treasurers, Commonalty of the City of Saint John, each County, Court of Chancery, Clerks of the Peace, and Sheriffs of each county, one copy each, and the Supreme Court two copies.

Order for distributing the Laws.

Also *Ordered*, That the Clerk of this House see the same distributed agreeable to their intentions.

Read as engrossed.

“ *A Bill for appropriating and disposing of the public Monies.* ”

Bill read,

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

and sent up.

The House adjourned until 12 o'clock to-morrow.

House adjourned.

S A T U R D A Y, the 5th MARCH 1791.

The order of the day being read—

*Ordered*, That the Commissioners appointed to superintend the building of the *Light House* on *Partridge Island*, upon completing the same, do appoint such person to be keeper thereof as they may think proper.

Order for appointing a keeper of the Light-house.

On motion *Ordered*, That the consideration of the petition of *William Sandford Oliver*, Esquire, be deferred until the next session of the *General Assembly*.

Petition of W. S. Oliver, Esq. postponed.

*Resolved*, That the Lieutenant Governor or Commander in Chief for the time being, with the advice and consent of His Majesty's Council, be requested to issue a warrant on the Treasurer for payment of the charges to be incurred by printing the Acts of the *General Assembly* and the Journal of the Votes and Proceedings of this House, in the present session, and that this House will make provision in the next session for supplying such money out of the public revenue.

Resolvo.

A message from the Council informing the House that they had concurred in passing “ *A Bill for laying an Impost.* ”—and

Message from the Council.

“ *A Bill for appropriating and disposing of the public Monies.* ”

A message from His Excellency the Lieutenant Governor requiring the attendance of the House in the Council Chamber.—

Message from His Excellency the Lieutenant Governor.

Mr. *Speaker* with the House having attended accordingly—His Excellency was pleased to give His assent to the following Acts—viz.

Assented to.

“ An Act for regulating Elections of Representatives in General Assembly, and for limiting the Duration of Assemblies in this Province.” (With a suspending clause).

“ An Act to continue an Act intitled An Act to authorize the Erection of Fences and Gates across certain Roads in the several Counties in this Province where the same shall be found necessary.”

“ An Act to declare that no Law passed in the General Assembly of the Province of Nova-Scotia, before the Erection of the Province of New-Brunswick, shall be in force in this Province.”

“ An Act in addition to, and in amendment of an Act intitled An Act for laying out repairing and amending Highways, Roads and Streets and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province.”

“ An Act for the Recovery of small Debts.”

“ An Act for regulating Marriage and Divorce and for preventing and punishing Incest, Adultery and Fornication.”

“ An Act in addition to an Act intitled An Act for regulating Juries and declaring the Qualifications of Jurors.”

“ An Act to define and describe the Crime of Petit Larceny.”

“ An Act for fixing permanently the Boundary Lines between the different Grants in this Province.”

“ An Act for altering the Times of holding the Court of General Sessions of the Peace, and Inferior Court of Common Pleas in the Counties therein mentioned.”

“ An Act to enable the Justices of the Supreme Court to issue Commissions for the Examining of witnesses out of the Province.”

“ An Act for the Security and Protection of certain Islands in the River Saint John.”

“ An Act to continue an Act intitled An Act for laying an Impost.”

“ An Act for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province.”

“ An Act for the Support and Relief of confined Debtors.”

“ An

“ *An Act for laying an Impost.*”—And

“ *An Act for appropriating and disposing of the public Monies.*”

After which His Excellency was pleased to make the following Speech to both Houses.

“ GENTLEMEN of the COUNCIL and

“ GENTLEMEN of the ASSEMBLY,

“ THE Business of the present session being now finished, it is no longer necessary to detain you from your private affairs, you are sensible, however, that your public duties extend beyond the occasions of meeting in *General Assembly*; nor can I entertain a doubt of your zeal to contribute during your recess, by every salutary exertion of your influence and authority, to promote and confirm among the people at large, those habits of industry and that spirit of peace and good order, which, under all the difficulties of their situation, have hitherto so remarkably distinguished the inhabitants of this province.”

His Excellency's speech.

And then the Clerk of the Crown, by His Excellency's command, declared the *General Assembly* to be prorogued to the second Tuesday in *June* next.

General Assembly prorogued.