

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires: Various pagings.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolorations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below /
Ce document est filmé au taux de réduction indiqué ci-dessous.

10x	12x	14x	16x	18x	20x	22x	24x	26x	28x	30x	32x
								✓			

NE
DD

JOURNAL
OF
THE LEGISLATIVE COUNCIL
OF
THE PROVINCE
OF
NEW BRUNSWICK.

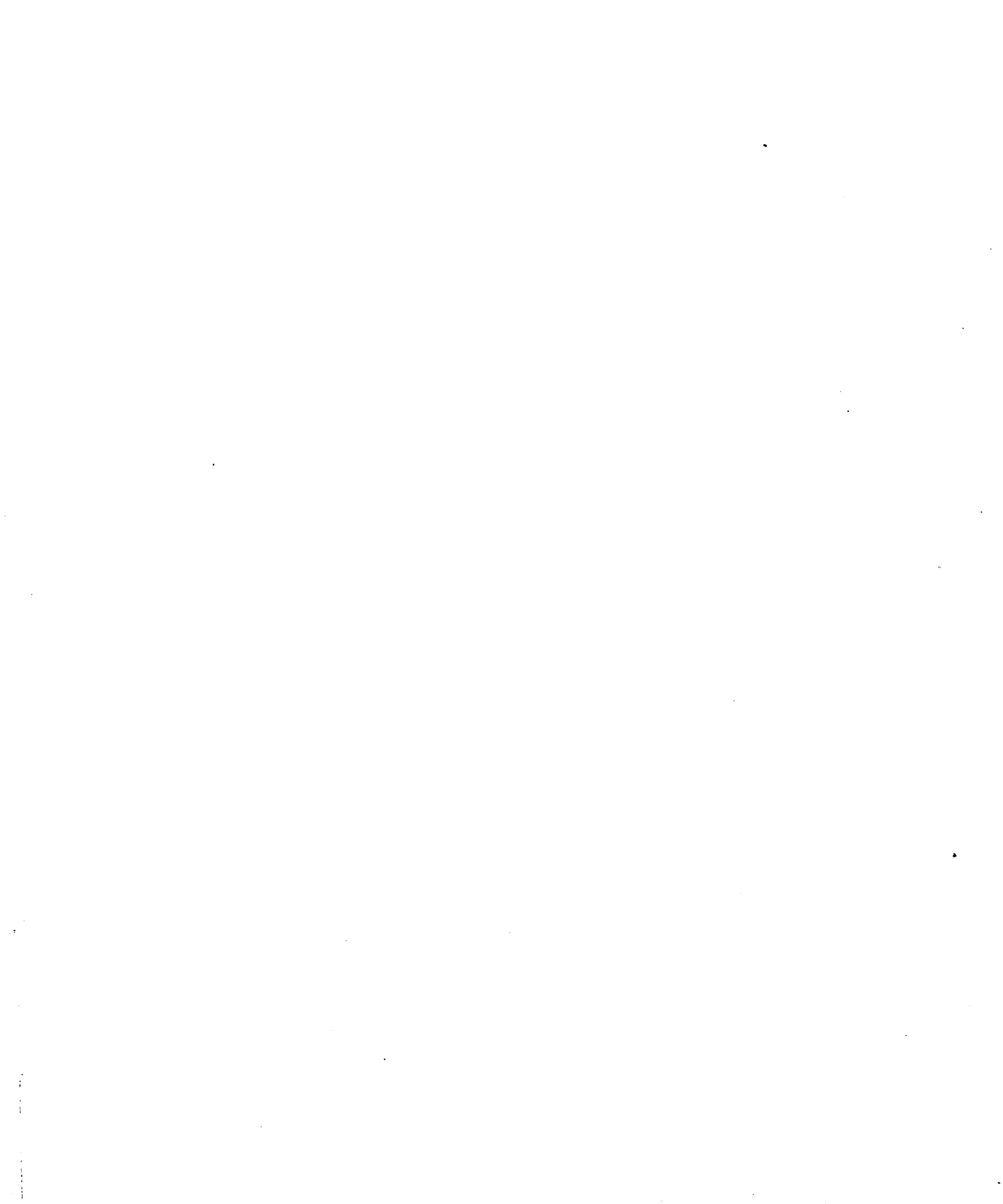
From 6th February to 30th April 1851.

Being the First Session of the Fifteenth General Assembly.



FREDERICTON, NEW BRUNSWICK :
JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

1851.





By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant
Governor and Commander in Chief of the Province of New Brunswick,
&c. &c. &c.

EDMUND HEAD, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the twenty fifth day of June next, I have thought fit to dissolve the said General Assembly, and the same is hereby accordingly dissolved; whereof all persons whom it may concern will take due notice.

And I have further thought fit to order and direct that Writs for calling a new General Assembly be forthwith issued in due form, returnable on Thursday the eleventh day of July next.

Given under my Hand and Seal, at Fredericton, the thirty first day of May, in the year of our Lord one thousand eight hundred and fifty, and in the thirteenth year of Her Majesty's Reign.

By His Excellency's Command.

J. R. PARTELOW.



By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant
Governor and Commander in Chief of the Province of New Brunswick,
&c. &c. &c.

EDMUND HEAD, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province has been summoned to meet at Fredericton on Thursday the eleventh day of this instant July, I have thought fit to prorogue the said General Assembly, and the same is hereby prorogued to Thursday the twenty sixth day of September next.

Given under my Hand and Seal, at Fredericton, the third day of July, in the year of our Lord one thousand eight hundred and fifty, and in the fourteenth year of Her Majesty's Reign.

By His Excellency's Command.

J. R. PARTELOW.





By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant
Governor and Commander in Chief of the Province of New Brunswick,
&c. &c. &c.

EDMUND HEAD, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the twenty fifth day of June next, I have thought fit to dissolve the said General Assembly, and the same is hereby accordingly dissolved; whereof all persons whom it may concern will take due notice.

And I have further thought fit to order and direct that Writs for calling a new General Assembly be forthwith issued in due form, returnable on Thursday the eleventh day of July next.

Given under my Hand and Seal, at Fredericton, the thirty first day of May, in the year of our Lord one thousand eight hundred and fifty, and in the thirteenth year of Her Majesty's Reign.

By His Excellency's Command.

J. R. PARTELOW.



By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant
Governor and Commander in Chief of the Province of New Brunswick,
&c. &c. &c.

EDMUND HEAD, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province has been summoned to meet at Fredericton on Thursday the eleventh day of this instant July, I have thought fit to prorogue the said General Assembly, and the same is hereby prorogued to Thursday the twenty sixth day of September next.

Given under my Hand and Seal, at Fredericton, the third day of July, in the year of our Lord one thousand eight hundred and fifty, and in the fourteenth year of Her Majesty's Reign.

By His Excellency's Command.

J. R. PARTELOW.



By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant
Governor and Commander in Chief of the Province of New Brunswick,
&c. &c. &c.

EDMUND HEAD, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Thursday the twenty sixth day of September next, I have thought fit further to prorogue the said General Assembly, and the same is hereby further prorogued to Thursday the twelfth day of December next.

Given under my Hand and Seal, at Fredericton, the thirty first day of August, in the year of our Lord one thousand eight hundred and fifty, and in the fourteenth year of Her Majesty's Reign.

By His Excellency's Command.

J. R. PARTELOW.



By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant
Governor and Commander in Chief of the Province of New Brunswick,
&c. &c. &c.

EDMUND HEAD, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Thursday the twelfth day of December instant, I have thought fit to prorogue the said General Assembly, and the same is hereby prorogued to Thursday the sixth day of February next, then to meet at Fredericton for dispatch of business.

Given under my Hand and Seal, at Fredericton, the seventh day of December, in the year of our Lord one thousand eight hundred and fifty, and in the fourteenth year of Her Majesty's Reign.

By His Excellency's Command.

J. R. PARTELOW.

JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF THE
Province of New Brunswick.

FIRST SESSION OF THE FIFTEENTH GENERAL ASSEMBLY.

ANNO DECIMO QUARTO VICTORIÆ REGINÆ.

**His Excellency Sir Edmund Walker Head, Baronet, Lieutenant Governor
and Commander in Chief.**

At Fredericton in the Province of New Brunswick.

LEGISLATIVE COUNCIL CHAMBER, Thursday, 6th February, 1851.

WRITS having issued for a new Election of Representatives to meet in General Assembly on the eleventh day of July last, and the said General Assembly having been, by Proclamations, prorogued to this day, the Council met—

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Peters,
Mr. Hill,*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison.*

PRAYERS.

At two o'clock, His Excellency Sir Edmund Walker Head, Baronet, Lieutenant Governor and Commander in Chief of the Province, came to the Council Chamber, and being seated in the Chair on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honorable the President, to let the Assembly know—
“It is His Excellency's pleasure that they attend him immediately in this House.”

Who being come,

The President of this House said—

“*Honorable Gentlemen of the Legislative Council, and
Gentlemen of the House of Assembly,*

“I am commanded by His Excellency the Lieutenant Governor to inform you, that he doth not think fit to declare the causes for which he has summoned this General Assembly
Assembly

Assembly until there be a Speaker of the House of Assembly. It is therefore His Excellency's pleasure, that you, Gentlemen of the House of Assembly, do repair to the place where the sittings of the House of Assembly are usually held, and there choose a fit person to be your Speaker ; and that you present the person who shall be so chosen to His Excellency, in this House, forthwith, for his approbation."

The House of Assembly retired, and after some time was again commanded to attend ; and being come,

Mr. Simonds said—

" May it please Your Excellency,

" Your Excellency having communicated your pleasure to the Assembly, they returned to the place where they usually deliberate, and immediately proceeded to choose a Speaker ; they have elected me to that important office and honorable situation, and they now present me to be approved of by Your Excellency."

The President of this House said—

" Mr. Simonds,

" I am commanded by His Excellency to assure you, that he is fully sensible of your zeal for the public service, and of your sufficiency to execute the duties of the office to which you have been elected by the House of Assembly, and that he doth most readily approve of their choice, and allow and confirm you to be their Speaker."

Then the Speaker of the Assembly said—

" May it please Your Excellency,

" Your Excellency having been pleased to approve of the choice which the Assembly have made in electing me to be their Speaker, it now becomes my duty, on their behalf, and in the name of the Assembly, to claim and demand that they have all their ancient and accustomed rights and privileges, particularly freedom of speech—freedom from arrest—access to Your Excellency at such times as they may think the public service requires it—and that the most favourable construction be put upon all their proceedings. On my own behalf, I have to request that any error of mine may not be imputed to the House of Assembly."

Then the President of this House said—

" Mr. Speaker,

" His Excellency hath the utmost confidence in the loyalty and attachment of this House of Assembly to Her Majesty's Person and Government, and in the wisdom, temper and prudence which will accompany all their proceedings ; and he doth most readily and willingly grant and allow them all their privileges in as full and ample a manner as they have at any time heretofore been granted and allowed.

" With respect to yourself, Sir, though His Excellency is sensible that you do not stand in need of such assurance, His Excellency will ever put the most favourable construction on your words and actions."

Then

Then His Excellency was pleased to open the Session by the following Speech to both Houses :—

“ Mr. President, and Honorable Gentlemen of the Legislative Council,

“ Mr. Speaker, and Gentlemen of the House of Assembly,

“ I HAVE much pleasure in again meeting the assembled Legislature of New Brunswick.

“ It is my duty to announce to you two events which interest us as Loyal Subjects of Her Most Gracious Majesty,—the death of His Royal Highness the Duke of Cambridge, and the birth of another Prince.

“ In the course of the last Season, we have been again blessed by Providence with abundant crops. Our Commerce is improving, and the condition of our Revenue marks a certain progress in the prosperity of the Colony. On all these points I sincerely congratulate you, and I only hope that our Export Trade may be conducted with such caution as to prevent those sudden revulsions to which we have occasionally been subject.

“ A conviction that we are advancing ought to stimulate our People to increased efforts, whilst it should encourage those who govern them to do all that a Legislature can to aid the developement of our resources.

“ Among the most powerful means for affording such aid are improved facilities for communication. I know that this topic need scarcely be urged on your attention. You are fully alive to its importance, and you will, I am sure, receive favourably a measure which will probably be laid before you for giving effect to an undertaking of this character. The task is not, in all respects, easy. I am one of those who believe, that great works like Rail Roads are neither best constructed nor best managed in their details by the hands of a Government itself. The distribution of the patronage connected with them would always be difficult and generally invidious. I shall most readily concur with you in any measures which may encourage the application of Capital to such schemes. Whilst I rejoice to see the enterprise of the County of Charlotte likely to be rewarded by the progress of the Saint Andrews Railway, it will give me still greater pleasure to know that the fertile tracts of Sussex Vale and Westmorland, and the thriving City of Saint John, are by similar measures linked to Halifax on the one side, and to the great community on our Western border on the other. You may feel confident that Her Majesty’s Government and the British People will hail such a step in our progress with unmixed pleasure and satisfaction.

“ It adds to the value of this great undertaking that it would probably lead to further action in connecting the City of Quebec with the Capital of Nova Scotia, by the contemplated Great Trunk Railway,—a measure which I consider of the greatest importance, as linking together in one common interest the valuable appendages of the British Crown on this Continent.

“ A Preliminary Survey, with reference to a Line of Railway between the Valleys of the Saint John and Saint Croix, to ascertain the practicability of the route, was ordered by the Government last Autumn, in order to afford you the best possible information on the subject, and a competent Engineer was employed for the purpose. His Reports will be laid before you, and I believe them to be as full as the lateness of the season at which they were undertaken would permit.

“ The

“ The recent Acts for the encouragement of Agriculture have been found beneficial in their operation in various parts of the Province. I again recommend this most prominent subject of our Industry to your continued care and attention.

“ Some further valuable information has been furnished me respecting our Fisheries, by the Commissioner appointed for this purpose, whose Report will be laid before you. It will be found useful in your deliberations on this very important branch of our resources.

“ In pursuance of the wishes expressed in previous Sessions of the Legislature, I have caused some works to be executed on the River Saint John. The object of improving our communications with Canada is one of very great importance to both Provinces, and I shall be prepared to follow up what has been already done, by exertions of the same kind.

“ Her Most Gracious Majesty has left to its operation the Act for the regulation of the Provincial Posts. It is proposed that the transfer of the Accounts to the Provincial Government should take place on the sixth of July next. Certain amendments, however, in the details of the Law, which I doubt not, you will carefully consider, will be pointed out to you.

“ The pressure of business during the last Session prevented the final settlement of our system of Common Schools. No subject can be of greater moment to the Country. It is the instruction of the population which renders a free Government the best security for order and obedience to the Laws, and on such order and obedience all material prosperity and its value must ultimately rest.

“ The present Law will shortly expire, and a measure will be introduced by which the people will be brought to act more immediately in the cause of Education.

“ In pursuance of an authority from the Colonial Secretary, and a wish expressed by His Excellency the Governor General, I have this Autumn conferred with the latter on the long pending subject of our disputed Boundary with Canada. A Member of my Executive Council met me at Toronto and assisted in these conferences. Our object, and that of Her Majesty's Government, was so far attained, that in order to meet the objections raised by Canada, the matter is now placed in the hands of competent Arbitrators in England, who will shortly make a final Report to Her Majesty's Secretary of State. One Arbitrator was selected by the Executive of each Province, and the third is a Gentleman whose judicial decisions on great questions of International Law must command respect throughout the world, as Judge of the Admiralty Court of England.

“ The correspondence relating to this matter will be laid before you.

“ The question regarding the present mode of granting Supplies will no doubt occupy your attention. So long as the existing system continues, the Government cannot be held responsible for the first condition of all efficient action, that is to say—the correspondence of expenditure with income. It is peculiarly for your consideration, whether such a change should not be made as may cause this responsibility to fall in a manner more strictly in accordance with the usage of the Imperial Parliament.

“ Such a change would involve the creation of local bodies of some kind, organized in such a manner as to give, mainly at least, to persons elected by the people themselves the distribution and control of Funds applicable to local purposes. The indirect results of such corporate action are quite as valuable as their immediate and direct consequences.

“ It

“ It seems probable that some alterations might be advantageously made in the procedure of the Courts of Law and Equity, which would render Justice easier of access and less expensive to the suitor. At the same time, the caution required in dealing with a subject which affects as this does, the rights of the people at large, makes it expedient that all such changes should be most carefully weighed. A proposition will be submitted to you for referring this most important matter to a Commission, who may consider the details and report fully thereon.

“ The Acts for enabling the price of Lands purchased for actual settlement, and the money due on Crown Bonds, to be discharged by labour, are working well, and are leading to increased settlement of the Country and increased security on the part of occupiers.

“ The Mineral discoveries in the Province seem to hold out prospects of a greater outlay of Capital in this branch of industry. It would be satisfactory to me if any measure could be devised which will place beyond a doubt the extent of the Mineral rights of the Crown, with reference to the interests of owners of the soil, so far especially as relates to all future Grants and Leases.

“ Mr. Speaker, and Gentlemen of the House of Assembly,

“ I shall direct the Accounts of Revenue and Expenditure to be laid before you at an early day.

“ You will be pleased to see that the state of our Finances continues to improve. All demands upon the Treasury have been promptly met. The seventh Instalment of the Loan negotiated in 1844, (now reduced to one half of the original amount borrowed) was paid the day on which it was due, and the remaining seven Annual Instalments are provided for without trenching upon the General Revenues of the Province, by the imposition of one per cent. on Imports, which expires simultaneously with the Loan Act.

“ You may possibly see reason to doubt how far a Tariff of Duties on Imports professedly fluctuating from year to year is calculated to afford fixed conditions for the exertions of our own industry, or is likely to impart confidence to our Merchants and their correspondents.

“ I trust that in all respects you will find the Public Moneys have not been expended except in conformity with the wishes of the Representatives of the People.

“ Mr. President, and Honorable Gentlemen of the Legislative Council,

“ Mr. Speaker, and Gentlemen of the House of Assembly,

“ I am desirous of calling your attention to a Communication from Her Majesty's Secretary of State for the Colonies of a most important character, which will be placed in your hands.

“ I allude to a Despatch in answer to an Address of the House of Assembly presented to the Queen in the last Session with reference to the constitution of the Legislative Council in this Province.

“ You will find in the language of Her Majesty's advisers in this Despatch strong evidence of a disposition to meet the wishes of Her Majesty's Subjects on such Constitutional questions.

“ I doubt not that any steps taken by you in this matter will bear the stamp of calm deliberation, and will be characterized by an adherence to the true spirit of the British Constitution.

Constitution. This spirit is adverse to all hasty and ill-considered change, whilst it is capable of modifying the letter of constitutional forms, so as to meet the sober wishes of the People, and thus adapt our Institutions to the wants of Society, without unnecessarily invading existing rights.

“ These are all weighty matters, which I place with confidence in your hands, and thus leave you to your deliberations.”

Which being ended, the House of Assembly withdrew; and His Excellency was pleased to retire.

The Honorable the President reported His Excellency's Speech.

An Address, in answer to His Excellency's Speech, is moved and seconded; which being read—

ORDERED, That the same be taken into consideration to-morrow.

ORDERED, That the Journals of this House be printed daily, and that two hundred copies thereof be furnished.

Adjourned until To-morrow at 11 o'clock.

FRIDAY, 7th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Minchin,
Mr. Hazen,
Mr. Harrison,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Peters,
Mr. Hill,
Mr. Brown,*

PRAYERS.

The Honorable the President acquaints the House, that by a Mandamus under the Royal Sign Manual, dated the twenty first October, 1850, James Brown, Esquire, was appointed a Member of this House, and desires to be admitted;

That by an Instrument under the Hand and Seal of His Excellency the Lieutenant Governor, dated the fifth February, 1851, Charles Connell, Esquire, was appointed, provisionally, a Member of this House, and desires to be admitted.

ORDERED, That the Honorable Messieurs Chandler and Kinnear be appointed a Committee to attend the Honorable Messieurs Brown and Connell, to see them qualified.

The Honorable Mr. Chandler, from the said Committee, reported that they had, according to order, attended the Honorable Messieurs Brown and Connell, who severally took the usual oaths in the presence of His Excellency the Lieutenant Governor.

The

The Honorable Messieurs Brown and Connell were then severally introduced between the Honorable Mr. Chandler and the Honorable Mr. Kinnear, and took their Seats.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Address in answer to the Speech of His Excellency.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Address, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received.

The said Address being read, was adopted by the House, and is as follows :—

To His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

**THE HUMBLE ADDRESS OF HER MAJESTY'S LEGISLATIVE COUNCIL IN
GENERAL ASSEMBLY CONVENED.**

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal Subjects, the Legislative Council of New Brunswick, thank Your Excellency for the Speech at the opening of the present Session.

Deploring the death of His Royal Highness the Duke of Cambridge, we learn with much interest the joyful event of the birth of another Prince.

While acknowledging with gratitude the blessings of an abundant Crop, we participate in the hope expressed by Your Excellency that our improving Trade may be so prudently conducted as to prevent those sudden revulsions which so often interrupt a course of prosperity.

We entirely agree with Your Excellency in the importance of improved means of communication to aid the developement of our resources, and shall cheerfully concur in any suitable measure which may be laid before us, or may be devised, for the accomplishment of these objects, and for encouraging the application of capital to Railroads, and enterprises of the like nature. Participating fully in Your Excellency's gratification at the favourable prospect presented by the progress of the Saint Andrews Railroad, it would be a source of the highest satisfaction to find, at no distant day, that Halifax, and by it the Mother Country, are by a similar undertaking linked with the flourishing places in this Province referred to by Your Excellency, and with the great Country on the western border; while the establishment of the Great Trunk Railway to Quebec would then, as Your Excellency observes, become more probable, and the interests and prosperity of these Provinces be identified.

In furtherance of these views, we shall receive with pleasure the Reports of the preliminary Survey of a Line of Railway between the Valley of the Saint John and the Saint Croix.

We are gratified to learn from Your Excellency that the recent Acts for the encouragement of Agriculture have proved beneficial, and Your Excellency may be assured of our undiminished attention to this most prominent subject.

We

We thank Your Excellency for the assurance that further valuable information has been procured, and will be laid before us, in regard to our Fisheries.

Feeling that the improvement of our communication with Canada by the River Saint John is of great importance to both Provinces, we receive with much satisfaction the information afforded by Your Excellency, that the works authorized by recent appropriations have been commenced and are to be persevered in.

We rejoice to learn that Her Most Gracious Majesty has been pleased to leave to its operation the Act relating to our Provincial Postal arrangements, and we shall not fail to afford our favourable consideration to any suggestions that may be made for perfecting the Law relating to this subject.

We have long been impressed with the paramount importance of the subject of general Education, and concur in the sentiment expressed by Your Excellency, that the education of the people at large offers the best security for order and obedience to the Laws; and we shall anxiously consider any measure which may be submitted to us for the encouragement and improvement of Common Schools.

We have much satisfaction in learning from Your Excellency that there is now a reasonable prospect of terminating the long pending dispute in regard to the Boundary Line between this Province and Canada; and we have every confidence, from the high standing and character of the arbitrators, that their decision will be in accordance with the principles of right and justice.

Any measures which may be presented to us for altering the manner of originating the Votes of Supply for the Public Service, and for the creation of local Bodies for the expenditure of Public Moneys for local purposes, shall receive a deliberate and careful consideration.

Viewing the speedy and satisfactory administration of justice as of the first importance to the welfare of the community, Your Excellency may rely upon our anxiety to devote ourselves to the careful consideration of any measure having for its object the improvement of the procedure in Courts of Law and Equity, especially such as will render the proceedings more simple and less expensive to suitors.

We thank Your Excellency for the information that the Acts for facilitating the discharge of Crown Debts by the labour of the debtors are in successful operation.

It gives us much satisfaction to learn that the Mineral discoveries in this Province are attracting the attention of Capitalists; and feeling the importance of clearly defining the rights of the Crown as well as of the owners of the soil in regard to these valuable deposits, we shall be prepared to take into consideration any measure that may be devised for the purpose.

We beg to assure Your Excellency that we shall await with much interest the Communication from the Secretary of State in reference to this Branch of the Legislature, and shall be most anxious to discover, in any suggestions which may be made or steps taken in regard to this very grave subject, that no departure is contemplated from the true spirit of the British Constitution, which hitherto has been so closely adhered to and cherished by the Legislative Council of New Brunswick.

ORDERED, That the said Address be presented to His Excellency by the whole House.

ORDERED,

ORDERED, That the Honorable Messieurs Shore and Chandler be appointed a Committee to wait upon His Excellency the Lieutenant Governor to know when this House would be received with their Address in answer to His Excellency's Speech at the opening of the Session.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 8th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Hill,
Mr. Connell.*

*Mr. Chandler,
Mr. Harrison,*

PRAYERS.

There not being eight Members present, the House adjourned until Monday next at 12 o'clock.

MONDAY, 10th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Peters,
Mr. Hill,
Mr. Brown,*

*Mr. Saunders,
Mr. Chandler,
Mr. Minchin,
Mr. Hazen,
Mr. Harrison,
Mr. Connell.*

PRAYERS.

The Honorable Mr. Shore, from the Committee appointed to wait upon His Excellency the Lieutenant Governor to ascertain when this House would be received with their Address in answer to His Excellency's Speech at the opening of the Session, reported that they had done so, and that His Excellency was pleased to say he would receive the House with their Address on Wednesday next at two o'clock.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 11th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Peters,*

*Mr. Saunders,
Mr. Chandler,
Mr. Minchin,
Mr. Hazen,*

c

Mr.

Mr. Hill,
Mr. Brown,

Mr. Harrison,
Mr. Connell.

PRAYERS.

On motion made and seconded—

ORDERED, That a Select Committee of three Members be appointed to report upon such Bills relating to Corporations as may be referred to them the present Session; and that the Honorable Messieurs Chandler, Botsford, and Brown, do compose the same.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 12th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Peters,
Mr. Hill,
Mr. Brown,
Mr. Connell.

Mr. Saunders,
Mr. Chandler,
Mr. Minchin,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,

PRAYERS.

The Honorable the President acquaints the House, that by a Mandamus under the Royal Sign Manual, dated the twenty first October, 1850, William Hunter Odell, Esquire, was appointed a Member of this House, who desires to be admitted.

ORDERED, That the Honorable Messieurs Botsford and Kinnear be appointed a Committee to attend the Honorable Mr. Odell, and see him qualified.

The Honorable Mr. Botsford, from the said Committee, reported that they had, according to order, attended the Honorable Mr. Odell, who took the usual oath in the presence of His Excellency the Lieutenant Governor.

The Honorable Mr. Odell was then introduced between the Honorable Mr. Botsford and the Honorable Mr. Kinnear, and took his seat.

At two o'clock the House proceeded to the Government House with their Address in answer to His Excellency's Speech at the opening of the Session; and being returned—

The Honorable the President reported that His Excellency had been pleased to receive the same, and to return an answer thereto, of which he had received a copy, which he read; and it was again read by the Clerk, as follows:—

“ Mr. President, and Honorable Gentlemen of the Legislative Council,

“ Your Address affords me additional evidence of your loyal feeling to the Queen, and of your anxiety to promote the welfare of the people.

“ I have received it with much satisfaction, and I thank you for it.”

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 13th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Minchin,
Mr. Hill,
Mr. Brown,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hazen,
Mr. Harrison,
Mr. Connell.*

PRAYERS.

The Honorable Mr. Botsford, by leave, presented the following Petitions :—

A Petition from J. W. Weldon and others, praying for an Act of Incorporation for the Miramichi and Richibucto Electric Telegraph Company :

A Petition from the Justices of the Peace for the City and County of Saint John, praying that an Act may pass to extend the Gaol Limits in the said County : and

A Petition from the same, praying the repeal of the Act to authorize the extension of the Gaol Limits in the said County.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Brown, by leave, presented the following Petitions :—

A Petition from Rosanna Pulk, praying for Revolutionary War Pension :

A Petition from Ruth M'Farlane, with a like prayer :

A Petition from John G. Layton and others, praying for an Act of Incorporation of the Kent Agricultural Society : and

A Petition from Peter Morrison and others, praying an alteration in the Laws relating to the Salmon Fisheries in the Miramichi River.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Connell, by leave, presented the following Petitions :—

A Petition from James Stickney and others, praying for a division of the Parish of Brighton, in the County of Carleton :

A Petition from the Grand Jury of the County of Carleton, and others, praying an Act to pass to give them the sole control of their local affairs : and

A Petition from Joseph Harvey and others, praying an Act of Incorporation for the Farmers' and Mechanics' Library in Woodstock.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hill, by leave, presented the following Petitions :—

A Petition from Alexander Rose, praying remuneration for work performed under the Labour Act : and

A Petition from James Wilson, praying relief, for the reasons therein specified, in respect of Crown Lands purchased by him.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 14th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,*

PRAYERS.

A Message was brought from the Assembly by Mr. Ritchie, with the following Resolution :—

“ House of Assembly, 11th February, 1851.

Resolved, That Mr. Ritchie, Mr. Johnson, and Mr. Gray, be a Committee on the part of this House, to join the Committee of the Honorable the Legislative Council, to have the management of the Legislative Library.

CHAS. P. WETMORE, Clerk.”

Messages from His Excellency the Lieutenant Governor were delivered by the Honorable Mr. Chandler, a Member of Her Majesty's Executive Council.

The Honorable the President read the same ; and they were again read by the Clerk as follows :—

NEW BRUNSWICK.

*Message to the Legislative Council,
13th February, 1851.*

EDMUND HEAD.

The Lieutenant Governor lays before the Council, a copy of a Despatch from the Secretary of State for the Colonies, announcing the Birth of a Prince.

E. H.

BIRTH OF PRINCE.

Circular.

Downing Street, 1st May, 1850.

SIR,—I have the honor to announce to you, that at twenty minutes past eight o'clock this morning, the Queen was happily delivered of a Prince.

It is very satisfactory to me to be able to add, that Her Majesty and the Infant Prince have continued to do well up to the present time.

I have, &c.

(Signed)

GREY.

Lieutenant Governor Sir Edmund Head, Bt., &c. &c. &c.

NEW BRUNSWICK.

*Message to the Legislative Council,
13th February, 1851.*

EDMUND HEAD.

The Lieutenant Governor desires to call the attention of the Legislative Council to a Despatch relating to the engrossing of Acts of the Imperial Parliament, and to suggest for the consideration of the Council, whether trouble and expense may not be saved

saved with reference to the Provincial Acts, by some regulations of an analagous character to those adopted by Parliament.

E. H.

ENGROSSING OF ACTS.

Circular.

Downing Street, 5th June, 1850.

SIR,—I enclose for your information, and because the precedent is one which it would appear desirable to follow, copies of Resolutions agreed to by both Houses of Parliament, which have put an end, in this Country, to the troublesome and expensive practice of engrossing the Acts of the Legislature. I have, &c.

(Signed)

GREY.

Lient. Governor Sir Edmund Head, Bt., &c. &c. &c.

[Enclosure in Circular Despatch, dated 5th June, 1850.]

Engrossing and Enrolling of Bills.

(Copy)

Die Jovis, 8^o Februarii, 1849.

Resolved by the Lords Spiritual and Temporal, in Parliament assembled,—

1. That it is expedient to discontinue the present system of Ingrossing, and to alter the present system of Inrolling Bills, and to make such provisions in lieu thereof as are hereinafter mentioned.

2. That this House is prepared to agree to the following arrangements, if agreed to by the other House of Parliament:—

I. That in lieu of being ingrossed, every Bill shall be printed fair, immediately after it shall have been passed in the House in which it originated, and that such fair printed Bill shall be sent to the other House, as the Bill so passed, and shall (subject to the regulations next hereinafter mentioned) be dealt with by that House, and its Officers, in the same manner in which Ingrossed Bills are now dealt with.

II. That on its return to the House in which it originated, without amendments, (or if amended, after the amendments shall have been settled and agreed to,) it shall be fair printed by the Queen's Printer, who shall furnish a fair print thereof, on vellum, to the House of Lords, before the Royal assent, and likewise a duplicate of such fair print, also on vellum.

III. That one of such fair prints of each Bill shall be duly authenticated by the proper Officers of each House, as the Bill to which both Houses have agreed.

IV. That the Royal assent shall be indorsed in the usual form on such fair print, so authenticated, which shall be deposited in the Record Tower, in lieu of the present Ingrossment.

V. That the copies promulgated in the first instance by the Queen's Printer, shall be impressions from the same form as the deposited copy.

VI. That for the present Session this arrangement shall not apply to Private Bills, nor to Local and Personal Bills, which last mentioned Bills, intended to be brought in this Session, have been, for the most part, already printed, in pursuance of the Standing Orders of the House of Commons.

VII. That the Master of the Rolls shall, upon being duly authorized in that behalf, receive in lieu of the copies of Public General Acts as now enrolled, the herein before mentioned duplicate fair print of each Public General Bill, to be held for the same purposes and subject to the same conditions for and upon which the Inrolled Acts are now received and held by him.

VIII. That it is expedient, with a view to economy, convenience, and dispatch, and to the diminution of the chance of errors, that one Printer should print the Public General Bills for both Houses; and that inasmuch as the Queen's Printer is, by virtue of his Office, bound to print the Acts, it would be advisable, for the attainment of the before mentioned objects, that the Queen's Printer should be employed by both Houses to print the Public General Bills.

NEW BRUNSWICK.

Message to the Legislative Council,

13th February, 1851.

EDMUND HEAD.

The Lieutenant Governor, referring to his opening Speech, lays before the Council a copy of a Despatch from Her Majesty's Secretary of State for the Colonies on the subject of the creation of an Elective Council.

E. H.

ELECTIVE LEGISLATIVE COUNCIL.

(Copy)—No. 223.

Downing Street, 25th November, 1850.

SIR,—I have now to acknowledge your Despatch, No. 20, of 28th April last, enclosing an Address from the House of Assembly to Her Majesty, and a Resolution of that Body, on the subject of the creation of an Elective Legislative Council.

2. The extreme importance of this subject, has induced me to reserve it for consideration for so long a period as the recess of the Legislature of New Brunswick would allow; but now that the time of its Session approaches, I feel that it is incumbent on me to communicate to you, without further delay, the views which Her Majesty's Government entertain respecting it.

3. They feel no objection to the extension of the principle of election to the upper House of the Legislature, according to the prayer of the Address of the House of Assembly; but the introduction of this principle might take place in many very different ways, and the character and probable working of the future Legislature of the Province would greatly depend upon the manner in which this change in one of its branches was effected. It is therefore impossible for me to give an opinion whether Her Majesty could properly be advised to give Her assent to any Act which might be passed by the existing Legislature of New Brunswick, for the purpose of transferring the right of nominating the Members of the Legislative Council from the Crown to some Electoral Body, until I am made acquainted with the precise nature of the change which is proposed, and have had an opportunity of considering, with the assistance of my colleagues, the details of the measure by which it is to be effected.

4. I concur in the opinion expressed by the Assembly, that the details may be best settled by the Legislature of the Province. I abstain, therefore, from offering any suggestion as to the manner in which any Act for this object should be framed, but I think it right to express my trust that none will be passed, the effect of which would be to establish such a franchise, or mode of election, as to render the Legislative Council a mere second House of Assembly, and which should not maintain a substantial distinction of character between these two bodies. I believe that to render them mutually independent of each other, in whatever particular manner this may be effected, is necessary, in order to attain the objects for which the division of the Legislature into two Houses has been considered expedient, and for securing that constitutional check to which the House of Assembly alludes in its Address as characteristic of British Institutions, and which it is their evident wish to preserve.

5. The subject of the composition of an Elective Legislative Council was recently much considered by the Committee of Her Majesty's Privy Council for Trade and Plantations, to which the question as to the expediency of establishing Representative Institutions to the Cape of Good Hope had been referred by Her Majesty. Although the external circumstances of that Colony, and its social condition, are widely different from those of New Brunswick, and its legislation can obviously form no precedent for that of a Province which has been for many years in the enjoyment of a Representative Government, yet some of the questions which were then discussed are of general application. I therefore transmit to you, for the information of those whom you may consult on this subject, the Report of that Committee, which has been approved by Her Majesty. You will find the part of it relating to the constitution of the Legislative Council at page 104 of the annexed Parliamentary Paper.

6. I do not see any sufficient reason for requiring that the adoption of the proposed change in the Constitution of New Brunswick should be made contingent on its being extended to the other North American Provinces, but you will not give your assent to any Act for this purpose which does not contain a clause suspending its operation until Her Majesty's pleasure with regard to it has been declared.

I have, &c.

(Signed)

GREY.

Lient. Governor Sir E. Head, Bt., &c. &c. &c.

NEW BRUNSWICK.

NEW BRUNSWICK.

Message to the Legislative Council,

13th February, 1851.

EDMUND HEAD.

The Lieutenant Governor lays before the Council, Extracts and Copies of Despatches on Commercial subjects, and on Rail Roads, of great importance. Accompanying the same is a Despatch laid before the Assembly last Session, relating to Merchant Seamen.

E. H.

REGISTRY OF BRITISH SHIPS IN THE UNITED STATES.

(Copy)—No. 189.—*Commercial.**Downing Street, 11th May, 1850.*

SIR,—I have to acknowledge the receipt of your Despatch, No. 14. of the 28th March, inclosing an Address to the Queen from the Legislative Council and Assembly of New Brunswick, pointing out the necessity for obtaining from the Government of the United States such a relaxation in their Law as will admit British Colonial built Ships to Registry in that Country on their becoming the property of its citizens; and further praying that the Trade between the British North American Provinces may be placed on the footing of a Coasting Trade, until the Government of the United States shall admit the Vessels of those Possessions to a free participation in the Coasting Trade of that Country.

I have had the honor to lay this Address before the Queen, and I am commanded by Her Majesty to acquaint you, for the information of the Legislative Council and Assembly, that Her Majesty's Government are already in communication with the Government of the United States on the question of obtaining for British built Ships, admission to Registry in that Country; but with regard to the proposed measure of placing the Trade of the British North American Colonies on the footing of a Coasting Trade, it will be necessary, before any other steps are taken, that Her Majesty's Government should be in possession of the views of the Colonial Legislatures on the subject; and on this point, therefore, I propose to communicate with the Governor General of British North America.

I have, &c.

(Signed)

GREY.

Lieut. Governor Sir E. Head, Bt., &c. &c. &c.

FOREIGN SHIPS TO PROCEED UP THE RIVER SAINT JOHN.

(Copy)—No. 192.—*Commercial.**Downing Street, 24th May, 1850.*

SIR,—I have the honor to transmit herewith for your information and guidance, the copy of a letter, with its enclosures, from the Board of Treasury, respecting the permission to Foreign Ships to proceed up the River Saint John to Fredericton, from which you will learn, that if the Local Government and Legislature of New Brunswick should consider it expedient to constitute Fredericton a Port of Entry, the Comptroller of Customs and Navigation Laws has been instructed to offer no impediment to Vessels proceeding to or from that Port.

I have, &c.

(Signed)

GREY.

Lieut. Governor Sir Edmund Head, Bt., &c. &c. &c.

[Enclosure in No. 192.]

(Copy)

Treasury Chambers, 18th May, 1850.

SIR,—I am commanded by the Lords Commaissioners of Her Majesty's Treasury to transmit herewith, in order that they may be submitted for the information of Earl Grey, Extract from a Report of the Commissioners of Customs, dated 18th ultimo, respecting the permission to Foreign Ships to proceed up the Saint John River to Fredericton, in New Brunswick, together with copies of a letter from the Board of Trade, and of a communication which my Lords have directed to be made to the Commissioners of Customs on this subject.

I am, &c.

(Signed)

C. E. TREVELYAN.

Hermann Merivale, Esquire.

(Copy)

(Copy) *Extract from a Report of the Commissioners of Customs, dated 18th ultimo.*

That we have recently received a communication from the Comptroller of Customs and Navigation Laws at Saint John, dated 20th March, 1850, (copy of which, as well as of its enclosure, we beg leave to annex for the information of your Lordships, marked B,) stating that an impression prevailed in the Province, that in consequence of the repeal of the Navigation Act of the 8 & 9 Vic. cap. 88, it was the intention of the Provincial Government to make Fredericton a Port of Entry, for general purposes, and to throw it open to Foreign Shipping, and requesting to be informed, previously to the opening of the navigation of the Saint John in the present season, whether in the event of Foreign Vessels with cargoes or passengers arriving from Foreign Countries, at the Port of Saint John, for the purpose of proceeding through the interior of the Province, up the River Saint John, to the City of Fredericton, a distance of nearly ninety miles from Saint John, he would be justified in allowing them either to proceed to Fredericton in continuation of their voyage, without taking any cognizance of them, or whether he would be warranted in allowing such Foreign Vessels to continue their voyage from Saint John to Fredericton after having landed a part of their cargo at the former Port. The question thus raised, as to permitting Foreign Ships to participate in the navigation of the River Saint John, beyond the Port of Saint John, to Fredericton, would appear to us to be analogous in principle to that which has so repeatedly engaged the consideration of Her Majesty's Government as to permitting Ships belonging to the United States of America to participate in the navigation of the River Saint Lawrence, beyond the Port of Quebec, and in regard of which questions your Lordships were pleased, by Mr. Hayter's letter of the 21st March, 1850, in reply to our Report of the 9th February preceding, and the several Reports therein referred to, wherein this important question has been at various times fully entered into in all its bearings, to acquaint us that your Lordships do not consider the navigation of the River Saint Lawrence, above Quebec, to have been conceded to Foreign Nations by the amended Navigation Act, and that Foreign Vessels can only be admitted to navigate between Quebec and Montreal as a special indulgence, after the approval of Her Majesty's Government has been obtained by application through the Governor General of Canada.

Under these circumstances, and with reference to your Lordships' recent decision in the case of the River Saint Lawrence, we have to request that we may be favoured with your Lordships' early directions upon this important question, for the government of our Officers at Saint John, previously to the opening of the navigation in the present season, as we have deemed it the better course, under all the circumstances, to defer replying to the Comptroller of Saint John's communication of the 20th March last, pending your Lordships' directions upon the subject.

*Office of Committee of Privy Council for Trade,
Whitehall, 14th May, 1850.*

SIR,—I have laid before the Lords of the Committee of Privy Council for Trade your letter of the 4th inst., transmitting a Report of the Commissioners of Customs, and its enclosures, on the subject of constituting Fredericton, in New Brunswick, a Port of Entry for general purposes. In reply, I am to state to you, that my Lords concur in the opinion expressed by the Lords Commissioners of Her Majesty's Treasury, that provided the Local Government and Legislature of New Brunswick shall consider it expedient to constitute a Port of Entry at Fredericton, the Comptroller of Customs at Saint John should be instructed not to offer any impediment to Vessels proceeding to or from Fredericton.

I am, &c.

(Signed)

DENIS LE MARCHANT.

The Right Hon. W. G. Hayter, &c. &c. &c.

The Papers are herewith returned.

Treasury Chambers, 18th May, 1850.

GENTLEMEN,—With reference to your Report, dated 18th ultimo, respecting the permission of Foreign Ships to proceed up the Saint John River to Fredericton, in New Brunswick, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, that my Lords are of opinion that if the Local Government and Legislature of New Brunswick shall consider it expedient

to

to constitute a Port of Entry at Fredericton, the Comptroller of Customs and Navigation Laws at Saint John should be instructed not to offer any impediment to Vessels proceeding to or from Fredericton.

I have, &c.

(Signed)

W. G. HAYTER.

The Commissioners of Customs.

RECIPROCAL TRADE WITH UNITED STATES.

(Copy)—No. 193.

Downing Street, 7th June, 1850.

SIR,—I have to acknowledge the receipt of your Despatch of the 20th May, No. 30, transmitting copies of representations which have been made to you by the Chamber of Commerce of Saint John, and by your Executive Council, on the subject of the present Commercial condition of New Brunswick.

I have to signify to you my approval of the terms in which you answered these communications, and to direct you to assure both the Chamber of Commerce and the Members of your Executive Council, that the Commercial interests of New Brunswick are an object of no less solicitude to Her Majesty's Government than those of the neighbouring Province, and that our attention is directed to the important purpose of effecting with the United States such an arrangement as may be calculated to give the greatest possible encouragement to the trade and industry of all the British Provinces, but that with a view to the accomplishment of this object, it would be inexpedient in the present state of the negotiation, to enter into any public explanation of the intentions of Her Majesty's Government on particular questions which may arise in their progress.

I am, &c.

(Signed)

GREY.

Lient. Governor Sir E. Head, Bt., &c. &c. &c.

COASTING TRADE WITH UNITED STATES, AND HALIFAX AND QUEBEC RAILROAD.

(Copy)—No. 195.

Downing Street, 19th June, 1850.

SIR,—I have to acknowledge your Despatch, No. 21, of the 26th April last, enclosing an Address from the House of Assembly to Her Majesty, on the subject of the admission of New Brunswick to the Coasting Trade of the United States; and also applying for a Grant of one Million sterling by Parliament, towards the construction of the Halifax and Quebec Railroad.

2. You will acquaint the Members of the House of Assembly that I laid their Address before the Queen, and that Her Majesty was pleased to receive the same very graciously.

3. It is unnecessary that I should enter into the subject of the first part of the Address, as you are fully aware of the negotiations now pending for the removal of Commercial restrictions between the United States and Her Majesty's North American Colonies.

4. With regard to the construction of the Halifax and Quebec Railway, I am compelled to state, that while Her Majesty's Government are fully sensible of the value and importance of the undertaking, the same causes which have hitherto withheld them from making any application to Parliament for a Grant towards it, namely, the multiplicity and urgency of the claims upon the Imperial Treasury, continue to place this out of their power. They can only hope that, notwithstanding the pressure, temporary as they trust, under which the Assembly consider the resources of the North American Colonies to labour, means will be gradually found of overcoming the difficulties which at present oppose the project, and attracting private capital towards its accomplishment.

I have, &c.

(Signed)

GREY.

Lient. Governor Sir Edmund Head, Bt., &c. &c. &c.

GUNPOWDER FOR SAINT ANDREWS RAILROAD.

(Copy)—No. 204.

Downing Street, 2d August, 1850.

SIR,—I have to acknowledge the receipt of your Despatch of the 14th June, enclosing an application from Messieurs Myers and Co., for leave to import into New Brunswick a quantity of Gunpowder from Foreign Countries, for the purpose of blasting rocks, &c. on the Saint Andrews and Quebec Railroad, and reporting the permission you have given for the admission of one month's consumption of Powder, pending the decision of the Home Government.

I

I have now to signify to you my approval, under the circumstances of the case, of the supply of Powder you permitted to be introduced into the Province, and to inform you that you are at liberty to allow the importation from the United States of such quantities of that article as you may deem necessary to enable Messieurs Myers and Co. to complete their contract on the Railroad.

I have, &c.

(Signed)

GREY.

Lieut. Governor Sir E. Head, Bt., &c. &c. &c.

TRADE WITH THE WEST INDIES.

(Copy)—No. 207.

Downing Street, 21st August, 1850.

SIR,—Her Majesty's Government have had under their consideration the Act (No. 1957) passed by the Legislature of New Brunswick on the 26th April last, intituled "An Act relating to the Trade between this Province and the British West Indies."

This Act empowers the Lieutenant Governor, with the consent of the Executive Council, to declare what articles, the produce of any or either of the British West India Colonies, shall be exempt from Duty when imported into New Brunswick. Under this provision, a question might be raised whether the Lieutenant Governor of New Brunswick might not impose Differential Duties on Goods, the produce of one of the West India Colonies, which were not imposed on similar Goods the produce of another of them. Her Majesty's Government would consider Differential Duties of this nature as very objectionable. I have therefore to instruct you to take measures for the introduction into the Provincial Legislature of a Bill for the amendment of the present enactment, in which after the word "Duty," at the end of Section I. the following words should be added—"So nevertheless as not to give to any such Possessions any advantage in respect of Import Duty over any other of such Possessions." In the mean while you will abstain from exercising the declaratory powers vested in you by this Act in any manner which would be inconsistent with the object of such amendment.

I have, &c.

(Signed)

GREY.

Lieut. Governor Sir Edmund Head, Bt., &c. &c. &c.

REVENUE OFFICERS TO ACT AS COMPTROLLERS OF CUSTOMS.

(Copy)—No. 215.

Downing Street, 26th September, 1850.

SIR,—I herewith transmit for your information and guidance, the copy of a letter, and of its enclosures, from the Board of Treasury, regarding the remuneration of Colonial Revenue Officers deputed to act as Comptrollers of Customs and Navigation Laws at the Ports of New Brunswick.

I have, &c.

(Signed)

GREY.

Lieut. Governor Sir Edmund Head, Bt., &c. &c. &c.

[Enclosure in No. 215.]

(Copy)

Treasury Chambers, 19th September, 1850.

SIR,—With reference to the proceedings which have been adopted in regard to the reduction of Establishments of the Imperial Customs Department in the Colonies, I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit herewith, in order that it may be submitted for the information of Earl Grey, copy of a Minute of the Board of Customs of the 2nd March last, relating to the Establishment in New Brunswick, together with a copy of a letter from the Colonial Secretary of that Province to the Comptroller of Customs and Navigation Laws at Saint John, dated 21st June, 1850, and copy of a letter from this Board to the Commissioner of the Customs, dated 16th instant; and I am to request that you will move Earl Grey to cause the opinion and intentions of my Lords regarding the remuneration of Colonial Revenue Officers deputed to Act as Comptrollers of Customs and Navigation Laws at subordinate Stations, to be notified to the Lieutenant Governor of New Brunswick.

I have, &c.

(Signed)

G. CORNWALL LEWIS.

Hermann Merivale, Esq.

Treasury

Treasury Chambers, 16th September, 1850.

GENTLEMEN,—With reference to your Report dated 6th ultimo, No. 1109, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you that my Lords approve of the arrangements therein proposed for the future establishment for the Control of Customs and Navigation Laws at the Ports of New Brunswick, and for the employment of Colonial Revenue Officers in lieu of the Comptrollers who have been stationed at the following Ports, viz:—Dorchester, Richibucto, Dalhousie, Bathurst, Saint Stephen, Magaguadavic, Campo Bello. I am likewise to state that my Lords will apprise you of the rates of allowance or gratuity to be assigned to the several Officers specified in the Schedule C annexed to your Report, who will become redundant, or be discharged, upon the adoption of these arrangements.

As respects the reference made in the letter addressed by the Lieutenant Governor's direction to the Comptroller at Saint John on the 21st June last, to remuneration of the Colonial Officers who may be called on to act as Comptrollers of Navigation Laws, I am to observe to you, that as the principal object of granting deputations to Officers at the subordinate Ports, is the accommodation of the Local Trade, by obviating the necessity of sending Vessels to the Ports where the superior Comptrollers are stationed. My Lords are not prepared to sanction any further expense from the Funds of this Country in respect of the Colonial Officers so deputed, beyond such allowance as you might deem reasonable to defray the cost of Stationery for Returns required by the Home Government and Parliament; and my Lords will request Her Majesty's Secretary of State to cause the Lieutenant Governor to be so informed.

I am, &c.

(Signed)

G. CORNWALL LEWIS.

[*Copy of Board's Minute, dated 2nd March, 1850.*]

NEW BRUNSWICK—Saint John and Saint Andrews.

Transmit to the Comptroller of Customs and Navigation Laws at Saint John, with reference to his Report of the 21st September, 1849, No. 54, and that of the Comptroller of Saint Andrews of the 4th of the same month, No. 37, in return to the Board's order of enquiry of the 3rd of August, 1849, a copy of Mr. Hayter's letter of the 2d February, and of the Treasury Minute therein referred to, of the 29th January 1850, explanatory of their Lordships' views, in regard to providing for the duties of Comptroller of Customs and Navigation Laws at those Ports which may have been or may hereafter be opened by Colonial authority for the purposes of Foreign or other Trade, and at which no Imperial Officers are at present stationed, and in accordance with their Lordships' directions, the Comptroller will ascertain whether the Colonial Government of New Brunswick will concur in devolving on their Colonial Revenue Officers the duties of Comptrollers of Customs and Navigation Laws, in the manner indicated in the Treasury Minute, either at the Ports that may hereafter be opened, or which have been already opened, as named in the margin,* for the purposes of Trade, but at which it is the determination of Her Majesty's Government that no Imperial Officer shall be appointed. And acquaint the Comptroller that upon his transmitting to the Board the names of those Officers upon whom the Colonial Government may concur in devolving the duties of Comptrollers of Customs and Navigation Laws, the Board will cause the necessary forms of appointment and instructions to be transmitted. In the event, however, of any case arising when a Port may be opened by Colonial authority, and where the Colonial Government may be at once ready and willing to assent to their Officers performing the several duties pointed out in the Treasury Minute, the Comptroller will furnish the Colonial Officers with the necessary forms, and such general instructions as he may consider necessary for their guidance in the execution of those duties, pending the receipt of the Board's final appointment and instructions. With respect to Dorchester, Richibucto, Dalhousie, Bathurst, in the Port of Saint John; and Saint Stephen, Magaguadavic, and Campo Bello, in the Port of Saint Andrews—where Imperial Officers are at present stationed, the Board are of opinion that it would be no longer necessary to retain the services of the Imperial Comptrollers of Customs and Navigation Laws stationed at those places, provided arrangements could be made for transferring their duties to the Colonial Officers of Customs and Excise in the manner indicated in the Treasury Minute of the 29th January, 1850.

* Caraquet, Shediac and Cocagne, Woodstock, Sackville, Bay Verte, Hopewell, Shippegan, Black River.

The Comptroller at Saint John will therefore ascertain and report for the Board's further consideration whether the Colonial Government of New Brunswick would concur in devolving upon the Colonial Revenue Officers at those Ports the duties of Comptrollers of Customs and Navigation Laws upon the principle laid down in the Treasury Minute above referred to.

At the same time acquaint the Comptroller at Saint John that it is the intention of the Board to retain, (for the present,) limited Imperial Establishments at the following Ports, viz :—Saint John, Miramichi and Saint Andrews.

Secretary's Office, Fredericton, 21st June, 1850.

SIR,—By direction of His Excellency the Lieutenant Governor, I am to inform you that the following persons are Deputy Treasurers at the several Ports mentioned in your letter of the 13th April last, viz :—William Carter, Port of Dorchester ; John W. Weldon, Richibucto ; Robert Watson, Saint Stephen ; A. J. Wetmore, Saint George, (Magaguadavic) ; Dugald Stewart, Dalhousie ; John Miller, Bathurst ; P. S. M. Dumaresque, Caraquet ; and Daniel Hanington, Shediac ; there is no Deputy Treasurer at Campo Bello.

Three of these Officers have already been appointed or are acting as Comptrollers of Customs and Navigation Laws, viz :—D. Stewart, D. Hanington, and A. J. Wetmore ; and His Excellency has no objection to any or all of the others being appointed to discharge the duties of Comptroller of Customs, &c. at their several Ports, provided the Treasurer sees none.

His Excellency regrets, by an oversight, this part of your letter has not been replied to before, and being anxious that no further delay should take place, he wishes you to see the Treasurer immediately, in order that you may send home an answer by the next Mail, without waiting for any further instruction.

His Excellency is not informed as to what are the views of Her Majesty's Commissioners of Customs with regard to the Salaries of the Officers who may be appointed to act in this double capacity. Any suggestions on this subject which yourself and the Treasurer may make to him, will receive due consideration.

I have, &c.

(Signed)

J. R. PARTELOW.

A. Grant, Esq., Comptroller, Saint John.

TARIFFS.

(Circular.)

Downing Street, 29th May, 1850.

SIR,—I have the honor to enclose for your information, a Return which has been printed by order of the House of Commons, shewing the amount of the Duties at present payable on Goods imported into the several British Colonies.

On referring to the Table of Duties for the Colony under your Government, I observe that those Duties are imposed by an Act which is limited in its operation to one year. I wish to direct your attention, and that of your Council, to the injurious effects which the uncertainty thus created in the continuance of the existing Scale of Duties cannot but exercise on the Trade of the Colony.

It is highly desirable that the Tariffs of the Colonies, should, as in this country, be established by permanent Laws, though of course such Tariffs would remain subject to such alterations from time to time as circumstances might require. But the more rarely such alterations take place, the better for the Commerce of the Colonies ; and I am therefore of opinion that it would be good policy if the Legislature of New Brunswick would establish by a permanent Law, such a moderate and well considered Scale of Import Duties as would lead to a probability of its being permanently maintained.

I have, &c.

(Signed)

GREY.

To Lieut. Governor Sir Edmund Head, Bart., &c. &c. &c.

FREE PORTS AND NAVIGATION LAWS.

Circular.—(Copy)

Colonial Office, 25th February, 1850.

SIR,—The modification of the Laws relating to Navigation and Trade by the Act c. 29, of the last Session of Parliament, having removed the legal restrictions which previously existed on the opening of

of Ports in the Colony under your Government, for the admission of Foreign as well as British Shipping and Goods, Her Majesty's Government have had under their consideration some local arrangements which it seems necessary to make in consequence, and which I proceed to state.

2. The effect of the Act is, that the Colonial Authorities may now open Ports for the admission of Foreign and British Shipping and Goods without the necessity of applying for the leave or concurrence in any shape of the Home Government.

3. But in trading from any Colony to other parts of the British Dominions, Home or Colonial, various formalities and regulations are still to be observed and conformed to, relating, for instance, to the registry of Shipping, and to Certificates of produce and clearance, without obtaining which, Traders from Colonial Ports might be exposed to much inconvenience and probable loss.

4. In the principal Ports in the West Indian and North American Colonies, Officers, deputed by the Imperial Board of Customs, are already stationed, who can grant these documents, and perform the necessary formal acts.

5. But if the Colonial authorities should establish any new Port where no such Officer is stationed, the difficulties to which allusion is above made, would immediately arise.

6. It is at the same time desirable, that preparation should be made in all Ports for the transmission to England of various Returns and Documents relating to Trade and Shipping, which are required for the information of the Imperial Government and Parliament, and the compilation of which must also be extremely useful to the Colonial Governments and trading communities.

7. The course which Her Majesty's Government propose, with a view to obviate these difficulties, is the following:—In every new Port to be opened in a Colony, although there be no Imperial Officer of Customs, there will of necessity be a Colonial one. It is proposed that the Colonial Revenue Officers at such Ports should be furnished with the necessary deputations from the Imperial authorities, so as to enable them to perform those duties with regard to registry and the issue of Certificates which are above specified, and execution of whatever other functions of an Imperial character may still require to be performed, if any, on condition the Colonial Government will make it the duty of the same Officers to furnish the above-mentioned Returns.

8. In order therefore to carry this arrangement into effect, the Lords Commissioners of the Treasury will cause the principal Comptroller of Customs and Navigation Laws already appointed in each Colony, to be furnished with the requisite deputation Warrants, and with instructions and authority to issue these Warrants to the Colonial Officers, upon directions being given by the Colonial Governments to those Officers to comply with such regulations and requisitions regarding the performance of functions under the Imperial Law, or the preparation of Trade Returns, as may be communicated to them by the respective Comptrollers.

9. You will accordingly consider yourself authorized to open for Foreign Trade, whatever additional Ports you may consider to be required, provided that you are enabled to make arrangements for the performance of the duties adverted to by Officers whose appointment shall be unattended with expense to this Country.

I have, &c.

(Signed)

GREY.

Lt. Governor Sir E. Head, Bart., &c. &c. &c.

SHIPPING OF SEAMEN AT SAINT JOHN.

(Copy)

Extract from Despatch, No. 175, of Earl Grey, to Sir Edmund Head,

Dated 17th January, 1850.

With reference to the Act, No. 1934, regulating the shipping of Seamen at the Port of Saint John, I transmit a copy of some observations of Lieutenant Brown, the Registrar of Seamen, upon the points of difference between this Act and the one recently passed for the same purpose by the Canadian Legislature, and I have to instruct you to submit them for the consideration of the Legislature of New Brunswick.

QUEBEC ACT.

Clause 4. Every Seaman shipped by Shipping Master, entitled to receive from the Master of the Vessel, as a Fee, the sum of 5s.

No forfeiture for absence from duty.

Clause 11. This clause is a copy of the English Law, and enacts that no advance Note shall be given to any Seaman until six hours after signing Articles, and then only to the Seaman himself.

Clause 14. Inflicts a penalty of £5 for removing the Clothes, &c. from any Ship, without permission of the Seamen, being same penalty as in England.

Clause 16. In Quebec and Saint John Act, gives power to Magistrates to commit to prison, for any offence committed under the Act, for any period not exceeding three months, with or without hard labour.

Clause 12. In English Act, gives Magistrates power to commit for any period not exceeding six months; which term of imprisonment, with hard labour, was inflicted by Mr. Yardley at the Thames Police Court, about two years and a half since.

Clause 19. Interprets Merchant Ships to be all Vessels lying and being within the Port of Quebec and River Saint Lawrence, from Quebec to Montreal.

By the seventh Clause of the English Crimping Act, and the eleventh and similar Clause of the Quebec Law, all payments of wages made by Master, &c. contrary to the provisions of these Acts, are recoverable as if they had not been paid nor advanced, thereby acting as a penalty upon Masters for any infringement in this respect:—But in the Saint John Act no enactment exists, neither is there any penalty upon the Master for any offence he may commit, except for employing any person to ship his crew, he not being the Shipping Master or his assistant. Repayment of the first month's wages illegally advanced, have been recovered at the Thames Police Court against Captain Parker and Michael Hart, prosecuted by order of the Board of Trade.

(Signed)

23rd November, 1849.

SAINT JOHN ACT.

Clause 4. For similar shipment entitled to receive the sum of 2s. 6d. from the Master of the Vessel.

Clause 10. For every day a Seaman is absent without leave, to forfeit two days pay; every Seaman absent when unmooring or getting Ship ready for sea, to forfeit £1.

Clause 11. Impossible to be carried into effect. No Owner, Master, &c., shall pay in advance, nor give an advance Note for any part of the wages, until three days after the sailing of the Vessel with the men certified by the Master to be on board.

Objections to this Clause.—Does not prevent the Note being given to the Crimps or Lodging House Keepers; and even if it were possible to carry the Clause into effect, it is objectionable, as the Note is made payable only on certificate being forwarded by the Master, which, if omitted to be done, parties cashing the same could not recover money.

Clause 14. Inflicts a penalty for same offence in the sum of £10.

Clause 19. Interprets Merchant Ships to be those trading to Foreign Ports or Ports in British Dominions, and not Vessels in the Coasting Trade.

Objections to this Clause.—No protection afforded to their own Seamen in the Coasting Trade, among whom the Crimps will have to pursue their calling and obtain their living, and will commit no legal offence.

Clause 21. Act to take effect 1st July, 1850, and remain in force till May 1st, 1852.

J. H. BROWN, Registrar of Seamen.

COMMERCIAL

COMMERCIAL POLICY.

No. 220.—(Extract.)

Downing Street, 1st November, 1850.

SIR,—It is with much regret that I have learnt from your Despatch, No. 59, of the 7th ultimo, that dissatisfaction has been occasioned among the inhabitants of New Brunswick, by the instructions given you to withhold your assent from any Acts which may be passed by the Provincial Legislatures in contravention of that system of Commercial policy which the Imperial Parliament and Her Majesty's Government have judged it advisable to adopt with a view to the interests of the Empire at large.

2. While it is the desire of Her Majesty's Government to advise the Crown to use its authority in such a manner as to interfere as little as possible with the management of their own affairs by the Legislatures of the several Colonies, there are certain subjects on which measures cannot be adopted by an individual Colony, without affecting the interests of others, and perhaps of the whole Empire.

3. Measures for the regulation of Trade are of this description; and, from the very foundation of our Colonial Empire, the Imperial Parliament and Government have always claimed and exercised the right of deciding on the Commercial policy which should be adopted by all British Colonies.

4. Until a very recent period, this authority was used for the maintenance of restrictions upon Trade, in many cases very onerous both to the Mother Country and the Colony. These have now for the most part been abolished, and Her Majesty's Government are not prepared to consent that they should be partially reimposed upon particular Colonies, without considering the effect of such reimposition upon that general system of policy which has been adopted in their place.

5. Bounties might be given in particular Colonies in such a manner as might be very injurious to others; and the imposition of differential Duties on Foreign produce by a particular Colony, on the grounds stated in the memorandum of the Executive Council, would be still more objectionable, as they might probably clash with the engagements of this Country, under Treaties.

6. It is true that there are still differential Duties levied in the Australian Colonies, but these are the remains of a former system which has not yet been entirely changed. They were imposed by authority of Parliament, and Parliament has now empowered the Local Legislatures to abolish them, at the same time prohibiting those Legislatures from imposing any differential Duties in future.

7. These are the general considerations on which Her Majesty's Government have acted, with reference to this subject, and being satisfied that a steady adherence to that system of Commercial policy which has been sanctioned by Parliament, is the course best calculated to promote the general welfare of the British Empire as a whole, and the interest of New Brunswick as an important part of that Empire, it is out of my power to withdraw or modify the instructions I have already transmitted to you.

I have, &c.

(Signed)

GREY.

Lient. Governor Sir E. W. Head, Bt., &c. &c. &c.

A Message was brought from the Assembly by Mr. Crane, with a Bill to incorporate the Miramichi and Richibucto Electric Telegraph Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Hatch, by leave, presented a Petition from James W. Street, Esquire, praying to be relieved from a Bond given by him to the Deputy Treasurer for Duties on Lumber.

ORDERED, That the same be received and lie on the Table.

The

The Honorable Mr. Hill, by leave, presented the following Petitions :—

A Petition from Thomas Moses, Esquire, praying an allowance for being obliged to remove his Office to Campo Bello :

A Petition from James M'Cormick, praying aid for teaching a School :

A Petition from Mary O'Neil with a like prayer : and

A Petition from Elizabeth Byron, with a like prayer.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Connell, by leave, presented the following Petitions :—

A Petition from John Dibblee, J. C. P., and ninety four others, praying an Act may pass to incorporate the Local Grand Orange Lodge and Subordinate Lodges of New Brunswick :

A Petition from William B. Tompkins, and forty two others, with a like prayer :

A Petition from Isaac Carvell, and fifty seven others, with a like prayer :

A Petition from Alfred F. Gallop, and one hundred and seventy two others, with a like prayer :

A Petition from Benjamin P. Griffith, praying relief for Timber seized and sold under order of the Admiralty Court in the year 1838 :

A Petition from William Sherer, praying for an Act of Incorporation for the County of Carleton :

A Petition from Henry H. Shaw, praying aid for teaching a School : and

A Petition from Patrick Sheals, with a like prayer.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Brown, by leave, presented the following Petitions :—

A Petition from Cochran Craig and others, praying for an Act to protect the Herring on the shores of Grand Manan :

A Petition from James H. Whitlock, praying for remuneration for services as Landing Waiter at Saint Andrews :

A Petition from Mary Rodgers, praying aid for teaching a School :

A Petition from James M'Bride, with a like prayer :

A Petition from James M'Connachie, with a like prayer : and

A Petition from Isabella Fogg, with a like prayer.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 15th February, 1851.

PRESENT :

THE HON.

Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,

Mr. Black, President.

Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hazen,

Mr.

*Mr. Hill,
Mr. Brown,
Mr. Connell.*

*Mr. Harrison,
Mr. Odell,*

PRAYERS.

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Chandler, a Member of Her Majesty's Executive Council.

The Honorable the President read the same; and it was again read by the Clerk as follows:—

NEW BRUNSWICK.

*Message to the Legislative Council,
13th February, 1851.*

EDMUND HEAD.

The Lieutenant Governor lays before the Council, Extracts from a Despatch with reference to the Surplus Civil List and other matters connected therewith.

E. H.

SURPLUS CIVIL LIST, REDUCTION OF SALARIES, &c.

Extract from a Despatch of Earl Grey to Sir Edmund Head, dated 25th November, 1850.

SIR,—I have now to acknowledge your Despatch, No. 27, of 1st May last, enclosing certain Resolutions of the House of Assembly, dated 24th April, in favour of the transfer of the Surplus of the Civil List Fund to the Provincial Treasurer, the reduction of the Salaries of the present Judges of the Supreme Court, Surveyor General, and Master of the Rolls, and abolition of the office of Receiver General. * * * * *

2. Before dealing separately with the important subjects thus submitted for my consideration, it is perhaps scarcely necessary that I should state that Her Majesty's Government are most sincerely anxious to aid the Legislature and inhabitants of New Brunswick in any efforts which they may make for the removal of real grievances or the promotion of the public welfare. Her Majesty's Government have not, nor can have any interest of their own in the maintenance of Establishments beyond the reasonable wants of the Province, or in retaining a controul over any part of its Revenues. It is notorious to all, that no portion of these Revenues is expended on any other than Provincial objects, and that those who are appointed to offices in the public service in the Colony, are invariably residents in it, selected as being men of ability and character, whose appointment is likely to meet with the approval of the people themselves.

3. If therefore, Her Majesty's Government feel it still necessary, even in opposition to the immediate wishes of part of the Legislature, to maintain existing engagements, and protect existing incomes, it can be with no other view than that of serving to the utmost of their power, the interests of the community itself. That those interests are best served in ordinary cases by acting in accordance with the wishes expressed by the Representatives of the people, I am fully convinced, and have habitually acted on that conviction. There are, nevertheless, occasions on which consistent views of public policy render a deviation from this course, in my opinion, absolutely incumbent on those who are responsible for the advice which they tender Her Majesty, and I will proceed to state on what grounds, and to what extent, I cannot adopt the positions declared in these Resolutions.

4. As to the Surplus of the Civil List to which the 11th Resolution refers, and which is there stated to amount to £12,298 7 11, I conceive that it remains at the disposal of Her Majesty, in virtue of an arrangement made no longer ago than the year 1836, between my Predecessor, Lord Glenelg, and the Representatives of the Province, and rendered perpetual by the voluntary act of the latter in 1838. I cannot discover either in the financial condition of the Province, or in other circumstances which have been at various times alleged in that behalf, (such for instance as the alteration effected by the Treaty of Washington, in the Boundary claimed for the Province, an alteration which must

have been contemplated as highly probable in 1838.) any ground for reconsidering the engagement then made, and entering into new stipulations to the injury of public confidence in the stability of existing arrangements. It is therefore impossible for me to advise Her Majesty to sanction the immediate transfer of this sum to the Provincial Treasurer.

5. I am not the less fully sensible of the obligation on Her Majesty to hold this sum merely in trust for the public wants of New Brunswick, and I should embrace with satisfaction any good opportunity for its employment to that end; but the obstacle which at present seems to me to impede the surrender of this fund, is to be found in the financial system of the Province. So long as money votes are allowed to be passed by the Assembly, without having been recommended by the Lieutenant Governor, on the responsibility of his Executive Council, it is not only impossible for the Executive Government to exercise any effective controul over the expenditure of public money, but even to foresee what expenditures may be required and have to be provided for. Therefore, to make over this sum to the Provincial Treasurer, would be to deprive the Local Government of a fund to which it may look, and has a right to look, to meet those possible exigencies which may at any time occur, and which might render it difficult to carry on the public service on its regular footing. * *

6. If, however, the right of originating money votes is conceded to the Local Government, I wish to state as explicitly as possible, that this surplus will be immediately regarded by me as applicable for any permanent public work of adequate utility of which the Local Government may approve.

* * * * *

7. With regard to the accruing annual surplus of the same fund to which the 11th Resolution likewise refers, it is obvious that the same considerations apply to the surrender of this as of the accumulations. Were the financial system of the Colony placed on the right footing, I should be ready to sanction measures for the immediate application of what remains of this fund, after the appropriations already made of it, and noticed in your Despatch, to some regular annual items of Public Service, and I would at once consent to place the Salary of the present Master of the Rolls and of his successors on this Fund, so as to relieve the ordinary Revenue to the amount of £800 currency and place it on the Civil List.

8. There is, however, one item, and one only, which I think it would be desirable at once to place on the Civil List without even waiting for any measure giving the Initiation of Money Votes to the Local Government:—This is the proposed allowance to the Judges by way of commutation for Fees, adverted to in your Despatch, and which I agree with you in considering a measure so advantageous for the Province, that I am ready to sanction it at once. This will enable the Legislature either to abolish those Fees, or to appropriate them to other purposes. It must however be understood, that this change cannot be made without the consent of the existing Judges, as it would be highly inconvenient that an Act carrying into effect an arrangement of the kind I have now described, should be disallowed by Her Majesty after it had come into operation. While it is necessary that Her Majesty's servants should have an opportunity of exercising their judgment on a measure of so much importance, before advising its confirmation, I have to instruct you not to assent to any such Act, unless it shall contain a suspending clause.

9. I must proceed in the next place to the consideration of the 12th and following Resolutions, which declares that it is expedient that certain deductions should be made in the Salaries of some existing officers now paid out of the Civil List.

10. In regard to such proposals, the duty of Her Majesty's Government is, in my opinion, imperative. I will not say that compacts of this kind are absolutely unalterable, or that the evidence of some general change in circumstances, such as a marked decline in the pecuniary means of the community, may not justify what otherwise would be an invasion of recognized and established rights; but any Resolution grounded on such reasons must be universal, and affect all parties alike. For Her Majesty's Government to consent to the selection of particular officers, in order to affect reductions in their incomes, and this in violation of what must be considered as an engagement on the part of the Public and of Her Majesty towards them, at the time when the Civil List was surrendered, and when, moreover, it is not even alleged that the Fund out of which these payments are to be effected has become insufficient for the purpose, could not be characterized otherwise than as a breach of public faith.

11. These reasons, strong as they are, with reference to all officers, are peculiarly so in the case of the Judges. The independence of those officers of all sinister influence, is one of the chief safeguards of every free Constitution. Their independence of the Crown has been long ago secured by the established policy of this Country, both at home and in all Her Colonies. But their independence of popular influence is not less essential, and can only be secured in the first place by upholding the right of existing holders of these high offices to their stipulated incomes, and in the second by maintaining the principle that their Salaries shall be fixed by permanent appropriation, not provided for by annual votes.

12. Subject to the interests of existing office holders, there is in my opinion no objection to the Legislature fixing whatever scale they may think fit for the remuneration of Public Servants to be hereafter appointed, and this, though such officers be paid out of what is called the Civil List, provided only, as already said, that the Salaries granted to them, whatever they may be, are fixed by way of permanent appropriation. I believe it indeed to be the best policy not to reduce those Salaries so low that the Public Service in the Province may cease to furnish a temptation to men of the highest abilities that are to be found in it; but this is a question of which the Legislature are the proper judges, and on them must rest the responsibility of any loss which the community may suffer from unwise reductions.

13. I should indeed require you not to give Her Majesty's assent to any Bill affecting the Salaries even of future Judicial Officers, when borne on the Civil List, without a suspending clause, because I think it essential that a compact made between the Provincial Legislature and Her Majesty, should not be altered in these important respects, without full opportunity given to Her Government to consider the intended alterations. That any such alterations proposed by the Legislature would be fully and favourably considered, I have already shown, by advising Her Majesty's assent to the Act of 1849, prospectively reducing the Salaries of the Judges.

14. I agree with you in regarding the position of the Master of the Rolls as substantially the same with that of the Judges of the Supreme Court, inasmuch as although his Salary is not now charged on the Civil List (as I propose that it should be) it is equally important that his independence, even of the suspicion of interested influence, should be maintained. Although the offices of the Surveyor General and Receiver General do not stand precisely on the same footing as those of the Judges, I cannot see that any sufficient reason is shewn for reducing the Salaries of the existing holders. In the event of any vacancy, I have no objection, if it be the wish of the Legislature, to the reduction of the former to £600 currency, and the abolition of the latter, on proper arrangements being made respecting the custody of the moneys belonging to the Civil List by the Province Treasurer.

15. I may add in conclusion, that I consider the maintenance of these interests called for, not only on the general grounds already adverted to, but also for the immediate pecuniary interests of the Province. No measures can at present be suggested so likely to promote those interests as the execution of some great Public Works, such for instance as proposed Lines of Railways. The difficulty which impedes these improvements is in almost all cases the same, namely, that the funds required for the purpose cannot be provided, and that little success has attended the attempts hitherto made to raise them either by loan or shares. But it is not to be expected that this difficulty will cease to exist, or that the possessors of capital will embark in undertakings where they have to fear, not only that uncertainty as to the returns these undertakings may yield, which arises from ordinary commercial causes, but also the further uncertainty of the fulfilment by the Legislature of such engagements as it may contract towards those whose money may be embarked in them.

16. It has been always my duty, and one most readily performed, to dispel such fears as far as lay in my power, by appealing to the evidence afforded by the past conduct of the Legislatures of the British North American Provinces, of their strict regard for the obligations they have entered into, and of their determination to fulfil with scrupulous good faith all the engagements they contract. But this high ground could no longer be taken in behalf of the Legislature of New Brunswick, if that body were to evince a disposition to invade individual interests notwithstanding their being under the protection of compacts solemnly entered into with the Crown only a few years ago. A single instance of such disregard for its engagements on the part of the Provincial Legislature, would deprive it of all hope of obtaining the confidence of capitalists so as to induce them to lend their aid in any undertakings which may be contemplated for the improvement of the Colony.

17. I have yet to notice the Resolution which relates to the proposed reduction of the Salary of the Lieutenant Governor. I have only to observe upon it, that I cannot concur with the framers of the Resolution (if such is their meaning) in regarding the sum now appropriated for this purpose as too heavy a burden for the finances of a Colony, which, whatever may be the partial and temporary appearances to the contrary, is evidently advancing on the whole with no tardy progress both in wealth and population, and thus imposing additional duties on those who have to administer its affairs, while the Civil List appears to furnish an adequate fund to support the existing charge.

18. I have therefore to sum up this Despatch by generally assuring you that the main principles of the arrangement of 1836, are regarded by Her Majesty's Government as permanent and binding, as they hope they will ultimately be regarded by the Legislature; but that if these be preserved, and the financial system of the Colony placed on a sound footing, they are anxious to meet in any practicable manner the wishes of the people of New Brunswick, as expressed by their Representatives.

I have, &c.

(Signed)

GREY.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations report that they have examined "A Bill to incorporate the Miramichi and Richibucto Electric Telegraph Company," and have prepared certain amendments to the same, which they recommend to the consideration of the House.

Respectfully submitted.

Committee Room, February 14, 1851.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into Committee of the whole presently, to take into consideration the said Bill and the Report of the Select Committee thereon.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A in Section I. insert the words "maintaining and working."

At B at the end of the Bill, add the following new Sections:—

"XI. And be it enacted, That if any person shall by any means or in any manner or way whatsoever, obstruct or interrupt the free use of the said Telegraph or any of its Branches, or other works incidental or relative thereto or connected therewith, such person shall for every such offence incur a penalty or forfeiture of not less than five pounds nor exceeding ten pounds currency, to be recovered by summary conviction before one or more Justices of the Peace for the County or City and County where such offence is committed; one half of the same, when levied and recovered, to be paid to the informer or person prosecuting for the same, and the other half to be paid into the hands of the Treasurer of such County, and applied to the public uses of such County; provided always,

always, that the payment of such penalty or forfeiture shall not be held to relieve or discharge the person convicted of the same from any claim for damages by the said Company for any loss or injury sustained by them, in consequence of such obstruction or interruption.

“XII. And be it enacted, That if any person or persons shall wilfully, maliciously, and to the prejudice of the said Company, break, throw down, damage or destroy any post or posts, rail, support, wire, machine, machinery, or other works or device erected, constructed or possessed under the authority of this Act, or do any other wilful act, hurt or mischief to disturb, hinder or prevent the carrying into execution, making, completing, supporting, maintaining and using the said Electric Telegraph, either on the main line or on any of its branches, or other works therewith connected, every such person or persons so offending shall forfeit and pay to the said Company the amount of the damages and the costs of suit in that behalf incurred, in like manner as for any other trespass.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time on Monday next.

The Honorable Mr. Chandler, by direction of His Excellency the Lieutenant Governor, lays before the House the following Abstract of the Revenue for the Year 1850 :—

ABSTRACT OF THE REVENUE OF THE PROVINCE OF NEW BRUNSWICK FOR THE YEAR 1850.

	Loan Fund.	Import Duty.	Export Duty.	Casual Revenue.	Supreme Court Fees.	Auction Duties.	Pedlars' Licences.	Emigrant Duties.	Light House Duties.	S. & D. Seamen's Fund.	TOTALS.
Saint John,	£4,824 12 2	85,824 4 7	10,903 2 5	2,500 0 0	1,084 7 0	187 5 7	6 10 0	504 7 6	2,698 18 6	876 9 9	79,499 11 1
Miramichi,	336 6 8	3,912 11 11	1,942 2 3	—	—	4 10 11	—	—	164 12 6	287 13 0	6,647 17 3
Dalhousie,	193 12 7	2,710 2 7	1,231 9 8	—	—	—	—	6 5 0	86 4 10	82 5 1	4,309 10 9
Bathurst,	84 7 0	986 3 7	399 17 3	—	—	—	—	—	41 13 6	38 15 6	1,560 16 10
Shippagan,	39 6 7	336 13 2	24 16 3	—	—	—	—	—	5 17 1	3 18 1	410 11 2
Richibucto,	184 17 1	1,722 10 8	949 13 5	—	—	—	—	—	92 16 7	85 1 9	3,034 19 6
Sedbucke,	0 15 2	4 1 8	266 6 4	—	—	—	—	—	28 10 3	25 4 4	394 17 9
Dorchester,	29 18 6	216 5 3	63 15 8	—	—	—	0 12 6	—	30 8 6	5 0 0	346 0 5
Bay Verte,	3 15 10	40 1 8	—	—	—	—	—	—	—	—	43 17 6
Hopewell,	17 19 4	48 9 0	89 6 7	—	—	—	—	—	11 5 9	1 11 6	103 12 2
Fredericton,	113 0 6	1,307 13 0	—	—	—	—	—	—	—	—	1,420 13 6
Grand Falls,	0 10 7	8 7 0	—	—	—	—	—	—	—	—	8 17 7
Woodstock,	7 6 8	105 4 10	—	—	—	—	1 0 0	—	197 1 6	83 2 8	3,086 13 4
Saint Andrews,	163 11 4	2,397 14 6	212 0 0	—	—	8 8 4	—	52 15 0	168 8 9	100 11 0	2,163 14 8
Saint Stephen,	98 19 11	1,302 16 0	492 1 6	—	—	—	0 17 6	—	114 19 0	75 16 0	1,087 13 10
Saint George,	45 8 7	524 13 2	326 17 1	—	—	—	—	—	—	—	1,087 13 10
Grand Manan,	—	—	—	—	—	—	—	—	—	—	—
TOTALS,	£6,146 8 6	71,447 12 7	16,901 8 5	2,500 0 0	1,084 7 0	200 4 10	9 0 0	563 7 6	3,871 18 5	1,665 8 8	104,089 9 6

COMPARATIVE STATEMENT.

	1849.	1850.	Increase.	Decrease.
Loan Fund,	£5,308 16 9½	£6,146 8 6	£837 11 8½	£0 0 0
Import Duty,	63,997 14 0	71,447 12 7	7,449 18 7	0 0 0
Export Duty,	16,445 11 9	16,901 8 5	455 16 8	0 0 0
Casual Revenue,	1,772 10 1	2,500 0 0	727 9 11	0 0 0
Supreme Court Fees,	1,402 18 0	1,084 0 7	0 0 0	318 17 5
Auction Duties,	146 18 2½	200 4 10	53 6 7½	0 0 0
Pedlars' Licences,	5 7 6	9 0 0	3 12 6	0 0 0
Emigrant Duties,	1,409 0 0	563 7 6	0 0 0	845 12 6
Light House Duties,	3,144 8 6	3,571 18 5	127 9 11	0 0 0
Sick and Disabled Seamen's Duties,	1,603 12 6	1,665 8 8	61 16 2	0 0 0
TOTALS,	£95,536 17 4	£104,089 9 6	£9,717 2 1	£1,164 9 11

Treasurer, Saint John, 1st January, 1851.

B. ROBINSON, Prov. Treasurer.

The Honorable Mr. Hazen presented to the House a Bill, intituled "An Act to amend and extend the operations of the Act to incorporate the Fredericton and Saint John Electric Telegraph Company."

The said Bill was read a first time.

ORDERED, That the same be read a second time on Monday next.

The Honorable Mr. Hill, by leave, presented a Petition from the Stockholders of the Saint Andrews and Quebec Railway, praying a Grant of Land.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented the following Petitions :—

A Petition from William Mahood, praying Legislative aid to publish a Map of Charlotte County : and

A Petition from William H. Hardie, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Solicitor General, by leave, presented a Petition from Magdalen Schureman, praying for pecuniary aid.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Connell, by leave, presented the following Petitions :—

A Petition from Samuel Easterbrooks, J. P., and fifty one others, praying that an Act may pass to incorporate the Local Grand Orange Lodge and Subordinate Lodges of New Brunswick :

A Petition from H. B. Sharp, and eighty seven others, with a like prayer :

A Petition from Josiah Brown, and one hundred and ten others, with a like prayer :

A Petition from William Flemming, and one hundred and twenty eight others, with a like prayer :

A Petition from John Bennett, and forty three others, with a like prayer :

A Petition from William Tompkins, and forty two others, with a like prayer :

A Petition from Rachel Martin, praying aid for teaching a School :

A Petition from Charlotte H. Turner, with a like prayer :

A Petition from Alexander M'Donald, praying for a Revolutionary War Pension :

A Petition from William J. Bedell and Asa Coy, Esquires, praying compensation as Commissioners of the Mail Stage between Fredericton and Saint Andrews : and

A Petition from Mark Trafton and others, praying an Act of Incorporation for the Arestook Falls Canal and Mill Company.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented the following Petitions :—

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying that an Act may pass to authorize laying down Public Sewers in the City :

A Petition from the same, praying that an Act may pass to guarantee a Loan to the said Corporation :

A Petition from the same, praying that an Act may pass making further alteration in the Charter of the said City :

A Petition from the same, praying that an Act may pass to authorize them to sell certain Lands in the said City :

A Petition from James M'Kee and others, praying that an Act may pass to exempt them, as Policemen, from certain Taxes, &c. :

A Petition from James F. Gooldrup, praying aid for teaching a School :

A Petition from Jane M. Beckwith, with a like prayer :

A Petition from the Justices in Session of the City and County of Saint John, praying a grant of money to pay certain Debentures issued for the erection of the Provincial Penitentiary : and

A Petition from the Saint John Water Company, praying a return of Duties.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Odell, by leave, presented the following Petitions :—

A Petition from the Governor and Trustees of the Madras School, praying aid to rebuild the School House in Fredericton destroyed by Fire : and

A Petition from the same, praying that an Act may pass to enable them to sell certain Lands.

ORDERED, That the same be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 17th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hill,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Miramichi and Richibucto Electric Telegraph Company, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to amend and extend the operations of the Act to incorporate the Fredericton and Saint John Electric Telegraph Company, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

On

On motion made and seconded—

ORDERED, That a Committee be appointed to take into consideration the subject of Reporting the Debates of this House during the present Session; and that the Honorable Messieurs Botsford, Hatch, Odell, and Connell, be a Committee for that purpose.

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Chandler, a Member of Her Majesty's Executive Council.

The Honorable the President read the same; and it was again read by the Clerk as follows:—

NEW BRUNSWICK.

*Message to the Legislative Council,
14th February, 1851.*

EDMUND HEAD.

His Excellency the Lieutenant Governor lays before the Legislative Council the Correspondence relating to the Canadian Boundary referred to in his Speech.

E. H.

BOUNDARY WITH CANADA.

(Copy)—No. 198.

Downing Street, 27th June, 1850.

SIR,—I have now to acknowledge your Despatch, No. 11, of March 19th last, on the subject of the disputed Boundary between Canada and New Brunswick.

I greatly regret the delays which have impeded the settlement of this question, feeling very strongly the force of the observations which you have from time to time addressed to me on the partial inconveniences which result to New Brunswick from its present undecided state.

But notwithstanding the importance of these considerations, I have been anxious to make every effort for the final arrangement of the dispute by mutual accommodation, rather than by the positive interference of Her Majesty's Government, and I now transmit to you the copy of a Despatch which I have addressed by the same Mail to Lord Elgin, containing the outlines of a proposal which I trust may still lead to this result.

You will therefore, on receipt of this Despatch, proceed to place yourself in communication with Lord Elgin on this subject, unless you consider it indispensable to make any previous observations direct to myself. If it should appear to Lord Elgin and to yourself, that your personally conferring with him on this subject would facilitate an adjustment of the question at issue between the two Provinces, you will consider yourself as authorized to proceed to Toronto for that purpose, and should you do so, it will probably be convenient that you should be accompanied by one of the Members of your Executive Council to assist you in the discussions that may take place.

I have, &c.

(Signed)

GREY.

Lieut. Governor, Sir Edmund Head, Bt., &c. &c. &c.

[Enclosure in No. 198.]

(Copy)—No. 507.

Downing Street, 27th June, 1850.

MY LORD,—I have now to acknowledge your Despatch, No. 159, of the 9th March last, enclosing the copy of a Minute of your Executive Council, and of a Report by the Commissioner of Crown Lands, impugning on some points the conclusions arrived at by the Commission appointed by Her Majesty to investigate and report upon the respective claims of Canada and New Brunswick to the Territory ceded to Great Britain by the Treaty of Washington.

It is of great importance that this long standing dispute should be finally settled, and if there is no prospect of agreement between the two Provinces on the subject, Her Majesty's Government must necessarily take on themselves the task of arranging it unless the decision of a Court of Justice could be obtained.

This last course, however, appears unsuited to the case. The question in a legal point of view seems to turn on the words of the Quebec Act of 1774; but a tribunal could scarcely pronounce a decision which should define the whole line of separation between the Provinces, and even if it could do so, it could only interpret and follow the letter of the Act, and not adopt any line of compromise which might be more advantageous to both parties.

It appears to me, therefore, that the matter can only be finally disposed of by Parliamentary enactment, explaining, or if necessary modifying, the language of the Quebec Act. It would be impossible in the present Session to introduce and carry through Parliament a Bill of this importance, and there appears to be room in the interval which must thus elapse, for a settlement which I consider as by far the most desirable, namely, by mutual agreement.

I therefore propose, that unless the terms of such an agreement can be settled by some more expeditious means, the following course should be adopted:—That your Lordship and the Lieutenant Governor of New Brunswick, with the advice of your Executive Council, should each name an Arbitrator on behalf of your respective Provinces, to meet at Quebec or at any other place which may be preferred by both parties—that the Arbitrators should name an Umpire—that if within a specified time they could not agree upon an Umpire, you (or the Lieutenant Governor of New Brunswick if the arbitration were held in his Province) should forthwith notify this to me, on receiving which notification, Her Majesty's Government would themselves name an Umpire.

That the Arbitrators and Umpire should proceed to consider the question, having before them the Report of Her Majesty's Commission and all other documents with which the Governments of the respective Provinces might think proper to furnish them, but not being authorized to examine the ground itself. For although I perceive that on some points the topographical accuracy of the Report of Major Robinson and Captain Henderson is impugned by the Surveyor General of Canada, I do not think these alleged errors appear to be of sufficient importance (especially when it is considered how many other existing Reports and Surveys may be referred to by way of evidence) to justify the great expense and delay which such a further investigation would demand, nor would such investigation add much to the prospect of a satisfactory solution of questions which are much more of inference than of fact.

That the Arbitrators and Umpire should be directed to report to Her Majesty's Government, and in that Report to point out the line which they consider the most convenient and most equitable, without being tied to the mere interpretation of the law as it stands; and on receiving such a Report, whether unanimously adopted, or by a majority, Her Majesty's Government would proceed to introduce into Parliament a Bill to carry it into effect; but if within a specified time the parties could not agree, then Her Majesty's Government would take upon themselves the decision of the question by introducing a Bill based on the terms of the conventional arrangement recommended in the Report the Commissioners of the 20th July, 1848.

The times which I suggest for the various stages of this transaction are: That the Arbitrators should hold their first meeting on or before November 1st; that if they did not agree on the selection of an Umpire by November 8th, that duty shall devolve on Her Majesty's Government; and that the Report should be drawn and ready for submission to Her Majesty's Government by February 1st: but I name these dates only for the convenience of affording you a basis for negotiating, being willing to admit of any modification of them to which your Lordship and Sir Edmund Head may jointly agree.

As the ultimate proceeding must necessarily be by Act of Parliament, it does not appear to me that any legal formalities are necessary to give validity to the proceedings of the Referees, which will be in the nature of a voluntary arbitration only. They might be appointed by the Minute of the Governor and Executive Council, and their Report merely drawn up in the ordinary form of a memorial; and as what I propose is an arrangement based on existing data, and not a fresh enquiry, there appears to be no occasion for investing them with the power of examining witnesses on oath.

I have instructed Sir Edmund Head (to whom I have communicated a copy of this Despatch) to correspond directly with yourself on the subject of it, and to arrange with you any further points of detail which may present themselves, unless matters should arise rendering a further reference to myself necessary, which if my proposal is adopted, I hope may be avoided; and I have further authorized him to proceed to Toronto for the purpose of personally conferring with your Lordship on the subject.

if

if that course should appear to yourself and to him likely to lead to an adjustment of the question between the two Provinces.

I have, &c.

(Signed)

GREY.

Governor The Right Hon The Earl of Elgin and Kincardine,
&c. &c. &c.

(Copy)

Government House, Fredericton, N. B., 2d August, 1850.

MY LORD,—I have received from Her Majesty's Secretary of State for the Colonies, the copy of a Despatch dated June 27, and addressed to Your Excellency, with reference to the disputed Boundary between the Provinces of New Brunswick and Canada.

In a Despatch to myself of the same date, Earl Grey intimates that it may possibly be expedient for me to have an opportunity of conferring with Your Excellency on the proposed arbitration, and he conveys to me permission to proceed to Toronto for this purpose, if such a course should appear desirable.

I see some difficulties in the course suggested by Her Majesty's Government, and I confess that I think an opportunity of a personal interview with Your Excellency, accompanied, as I should, with a Member of my Executive Council, might materially conduce to a more speedy settlement of the question. It is especially difficult to determine what class of persons can properly be selected as Arbitrators in these Colonies. Unless such Arbitrators are free from all suspicion of partiality, their decision would in fact be treated as that of the one Umpire selected by themselves.

Another point to be considered may be, whether such Arbitrators would have to decide in any way on the appropriation of the money arising from Timber cut on the disputed Territory.

Should Your Excellency deem it expedient that I should have the honor of discussing these matters personally with yourself, I shall be in readiness to start for Toronto with as little delay as possible, on receiving an intimation of your views on the subject.

I have, &c.

(Signed)

EDMUND HEAD.

His Excellency the Governor General.

(Copy)

Government House, Toronto, 11th August, 1850.

SIR,—I have received your Despatch of the 2nd August, and I beg to state in reply, that I consider that it would be very advisable that I should have the advantage of a personal interview with Your Excellency on the subject of the Boundary between Canada and New Brunswick.

I have made arrangements for visiting Lakes Huron and Superior at this season, which will necessarily detain me at a distance from Toronto for some weeks. Should it not however be too late in the year, it would give me much pleasure to receive you here on or about the 20th of next month.

I have, &c.

(Signed)

ELGIN AND KINCARDINE.

His Excellency Sir Edmund Head, &c. &c. &c.

(Copy)

Extract from a Report of a Committee of the Honorable the Executive Council on matters of State, dated 30th September, 1850, approved by His Excellency the Governor General in Council on the same day.

The Committee of Council have had under consideration, upon Your Excellency's reference, the Despatch of Her Majesty's Secretary of State for the Colonies, dated the 27th day of June last, concerning the question of the disputed Territory between Canada and New Brunswick; also a copy of a Minute of the Executive Government of the latter Province, dated the 5th day of September instant, on the same subject.

It is proposed in the Despatch of the Colonial Secretary that the matter in dispute be referred to Arbitrators who should be directed to report to Her Majesty's Government; that Your Excellency and the Lieutenant Governor of New Brunswick should each name an Arbitrator on behalf of the respective Provinces, and these two Arbitrators should name an Umpire.

As

As it is very desirable that this important question be finally settled, and as the object of an arbitration is to afford Her Majesty's Government more efficient means to effect a final settlement of the respective claims of the two Provinces, the Committee of Council are of opinion, that under the circumstances of the case it is advisable that the proposition to refer the matter to an arbitration should be agreed to. As to the terms of such an agreement, the Committee having duly considered the suggestions offered in the Despatch of the Colonial Secretary, as well as those made by the Government of New Brunswick, would respectfully recommend the following:—

1stly. A new Survey of the Ground may be dispensed with, all other points being agreed upon as hereinafter proposed.

2dly. It is fully understood that in considering the question referred to them, all facts, titles and documents which may be submitted by either of the parties, shall be taken into consideration by the Arbitrators, whether existing or having date before or after 1763, leaving it to such Arbitrators to determine the value which attaches to each class of proofs.

3rdly. Neither Province shall be represented by Counsel before the Arbitrators.

4thly. The arbitration shall be held in London, and the Arbitrators selected in the Mother Country.

5thly. Three Arbitrators shall be appointed, one by the Governor General of British North America, and one by the Lieutenant Governor of New Brunswick, neither of whom shall be Members of the Imperial Parliament. The third Arbitrator to be some Member of the Judicial Committee of the Privy Council, or some Barrister of high standing and eminence at the English Bar, to be agreed upon by the Arbitrators named on behalf of the Provinces; and in case the latter are unable to agree, they are to report the fact of such disagreement to Her Majesty's Secretary of State for the Colonies, and thereupon the third Arbitrator shall be appointed by Her Majesty's Government. The award to be made by the three Arbitrators, or by any two of them.

6thly. The Arbitrators to be notified of their appointment through the Colonial Office.

7thly. When the Arbitrators have been appointed, and shall be ready to go into the arbitration, notice to be given to Her Majesty's Secretary of State for the Colonies, when the statement and evidence of the respective Provinces are to be transmitted to them by him; all other statements with reference to any published Pamphlets or other works on the subject, intended by the respective parties to be laid before the Arbitrators, to be transmitted by them respectively, both to the Colonial Secretary and to the Sister Province, on or before the 15th November next, it being however fully understood that this stipulation is not to preclude the Arbitrators from consulting any printed Pamphlets or other works which they may themselves find in the course of their investigations, nor from examining any documents that they may obtain access to through the Imperial Government, though not transmitted or referred to by the respective parties, or either of them.

8thly. The nett proceeds of the funds in the hands of both Governments arising from the disputed Territory to be applied—1st. To defray the expenses of the Arbitration: 2d. To defray the necessary expenses of running the Line as settled—In case such fund should prove insufficient, the expenses to be borne equally by the respective Governments: 3d. And the balance of such funds to the improvement of the land and water communication between the Great Falls of the Saint John and the Saint Lawrence.

9thly. The remuneration of the Arbitrators to be fixed by the Colonial Secretary.

10thly. The Arbitrators shall report within three months from the first January next, unless on the application of the Arbitrators, or any two of them, the time shall be extended by Her Majesty's Government.

It is further respectfully recommended that this Minute, if approved by Your Excellency, be communicated to the Government of New Brunswick for their concurrence in the same.

Certified—J. J., Clk.

(Signed)

J. JOSEPH, *Clk.*

(Copy)

Government House, Toronto, 1st October, 1850.

SIR,—With reference to the conference which I had yesterday with Your Excellency on the subject of the Arbitration proposed by Earl Grey for the settlement of the question of Boundary
between

between the Provinces of Canada and New Brunswick, I have the honor to transmit herewith, the copy of a Minute of the Executive Council of this Province, which will, I trust, be satisfactory to you.

(Signed)

ELGIN AND KINCARDINE.

Sir Edmund Head, Bt., &c. &c. &c.

(Copy)

Toronto, 1st October, 1850.

MY LORD,—I have the honor to acknowledge Your Lordship's letter of this day, with its enclosure.

Acting on behalf of the Government of New Brunswick, I beg to assent to the terms laid down in the Minute of Council transmitted by Your Excellency.

I have, &c.

(Signed)

EDMUND HEAD.

To His Excellency the Governor General
the Earl of Elgin and Kincardine, K. T., &c. &c. &c.

(Copy)—No. 225.

Downing Street, 29th November, 1850.

SIR,—In reference to your Despatch, No. 60, of 24th October, 1850, I have now to inform you that Dr. Travis Twiss has accepted the office of Arbitrator in the pending Boundary question, and that T. Falconer, Esquire, Barrister at Law, has been similarly appointed on the part of Canada. Those Gentlemen will enter on the functions assigned to them without delay, and you shall be further informed of their proceedings as occasion may require.

I have, &c.

(Signed)

GREY.

Lieut. Governor Sir Edmund Head, Bt., &c. &c. &c.

(Copy)—No. 230.

Downing Street, 10th December, 1850.

SIR,—With reference to my Despatch, No. 225, of the 29th ult., apprising you that Dr. Travis Twiss had accepted the office of Arbitrator in the pending Boundary question, and that Mr. Thomas Falconer had been similarly appointed on the part of Canada, I have now the honor to acquaint you that these Gentlemen have nominated the Right Honorable Stephen Lushington, Judge of the Admiralty Court, and a Member of the Judicial Committee of the Privy Council, as third Arbitrator in the decision of the question.

I have, &c.

(Signed)

GREY.

Lieut. Governor Sir Edmund Head, Bt., &c. &c. &c.

A Message was brought from the Assembly by Mr. Read, with a Bill for erecting the Parish of Caraque, in the County of Gloucester, into two separate Parishes; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Botsford, by leave, presented a Petition from Ferguson, Rankin and Company, praying that an Act may pass to protect the Salmon Fishery in the River Nepisiquit.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Connell, by leave, presented the following Petitions:—

From Valentine Pickard, and one hundred and fifteen others, praying that an Act may pass to incorporate the Local Grand Orange Lodge and Subordinate Lodges in New Brunswick:

K

From

From Robert Baird, and eighty others, with a like prayer :
 From Benjamin Yerxa, and eighty five others, with a like prayer :
 From D. B. Shelton, Esquire, and thirty one others, with a like prayer :
 From Joseph Kilpatrick, and one hundred and forty two others, with a like prayer :
 From Samuel Estabrooks, J. P., and fifty three others, praying that no division
 may be made in the Parish of Brighton :

From Nehemiah Marks, and three hundred and forty two others, praying that no
 Charter may be granted to erect a Bridge over the Saint Croix, near the Public Land-
 ing : and

From the Mechanics' Institute of Woodstock, praying pecuniary aid.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Odell, by leave, presented a Petition from Daniel M'Namara,
 praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Saunders, by leave, presented a Petition from John Moore,
 praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 18th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
 Mr. Botsford,
 Mr. Hatch,
 Mr. Hill,
 Mr. Davidson,
 Mr. Odell,*

*Mr. Saunders,
 Mr. Chandler,
 Mr. Solicitor General,
 Mr. Harrison,
 Mr. Brown,
 Mr. Connell.*

PRAYERS.

A Message from His Excellency the Lieutenant Governor was delivered by the
 Honorable Mr. Chandler, a Member of Her Majesty's Executive Council.

The Honorable the President read the same ; and it was again read by the Clerk
 as follows :—

NEW BRUNSWICK.

Message to the Legislative Council,

EDMUND HEAD.

17th February, 1851.

The Lieutenant Governor lays before the Council, Copy of a Circular Despatch,
 and Enclosure, relative to the extension of the reduced rate of Postage on Printed
 Books, Magazines and Pamphlets to the British Provinces.

E. H.

POSTAGES

POSTAGES ON PRINTED BOOKS.

Circular.—(Copy)

Downing Street, 27th December, 1850.

SIR,—I transmit herewith for your information and guidance, the copy of a letter from the Secretary to the General Post Office, stating the desire of the Postmaster General, that the existing Regulations under which printed Books, Magazines, Reviews and Pamphlets, (whether British, Colonial or Foreign) are transmitted by Post within the United Kingdom, at reduced rates, should be extended to the British Colonies.

In order therefore to carry into effect the views of the Postmaster General, as explained in this letter, I have to instruct you to bring the subject under the early consideration of Your Executive Council, for the purpose of such Regulations being formed as may appear to be best adapted for securing the object his Lordship desires to accomplish.

In the event of the Law relating to the Post Office at present in force in the Colony under your Government, not proving sufficient for the purpose, it will become necessary to obtain the requisite authority by Legislative enactment.

I have, &c.

(Signed)

GREY.

Lieut. Governor Sir Edmund Head, Bt., &c. &c. &c.

[Enclosure in Circular.]

(Copy)

General Post Office, 14th December, 1850.

SIR,—The Postmaster General being desirous of extending to the British Colonies the existing Regulations under which printed Books, Magazines, Reviews and Pamphlets, (whether British, Colonial or Foreign) are transmitted by Post within the United Kingdom, at reduced rates of Postage, has submitted his views on this subject to the Lords Commissioners of Her Majesty's Treasury, and has received the permission of their Lordships to carry the measure into immediate effect, as respects those Colonies whose Postal arrangements are under His Lordship's controul.

The necessary steps are therefore about to be taken for establishing a Book Post to the several Colonies in question.

With regard to those Colonies in which the Posts are under local management, and the obstacles to including which, in the proposed measure, arise from the high rate of charge to which the Books would be subjected for the internal conveyance in the Colonies, and from the absence in most cases of any means of prepayment of Imperial Postage upon the Books which might be sent from the Colonies to the United Kingdom; the Postmaster General has been authorized to place himself in communication with the Secretary of State for the Colonies, with a view to the adoption of those measures by which such obstacles may be removed.

I am accordingly directed by the Postmaster General to request that you will bring under the consideration of Earl Grey, the following arrangements, which his Lordship desires to extend with as little delay as possible, to the whole of the British Colonies and Possessions.

1. That printed Books, Magazines, Reviews, or Pamphlets, (whether British, Colonial or Foreign) be permitted to be sent through the Post Office from the United Kingdom to any British Colony, or from any British Colony to the United Kingdom, whether the conveyance be by Packet or by private Ship, at the following rates of Postage :—

For a single Volume not exceeding $\frac{1}{2}$ lb weight,	£0	0	6
For a single Volume exceeding $\frac{1}{2}$ lb and not exceeding 1lb,	0	1	0
For a single Volume exceeding 1lb and not exceeding 2lb,	0	2	0
For a single Volume exceeding 2lb and not exceeding 3lb,	0	3	0

And so on, increasing 1s. for every additional pound or fraction of a pound.

2. That the charge be the same whether the Books, &c. be posted or delivered at the Post, or whether they be posted or delivered at any place in the interior of the Colony.

3. That prepayment be insisted upon in all cases, in the United Kingdom the postage being required to be paid in Stamps, and in the Colony being paid in money.

4. That to prevent the inconvenience which might ensue from a large arrival of Books, &c. by the same Mail, the Colonial Postmasters be authorized, in cases of necessity, to delay the dispatch of such Books

Books to or from the Interior, until the dispatch of the Mail next after that by which they would in the usual course be sent, or at their option, for a period not exceeding one week.

5. That no Book be sent by any route which would entail an expense of transit postage on the Department.

6. That one third of the total charge be considered as paid for the British Inland Rate ; one third for the Sea Rate ; and the remaining third for the Colonial Inland Rate.

7. That printed Books, &c. sent through the Post, under the regulations here proposed, be subject in all respects to the same restrictions as Newspapers.

The foregoing conditions are those which the Postmaster General is about to prescribe for printed Books, &c. dispatched to or received from those British Colonies and Possessions to which his controul extends, viz. the West Indies, Newfoundland, Gibraltar, Bermuda, Malta, Hong Kong ; and His Lordship desires me to request that you will move Earl Grey to take such steps as may appear to His Lordship best calculated to induce the Governments of the other British Colonies and Possessions to acquiesce in a similar arrangement. I have, &c.

(Signed)

W. L. MABERLY.

H. Merivale, Esq., &c. &c. &c., Colonial Office.

The Honorable the Solicitor General, by leave, presented a Petition from Robert Parker, Esquire, praying that Legislative provision may be made to redeem certain outstanding Debentures of the City and County of Saint John, issued by them for a sum of money borrowed by them to build the House of Correction.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Harrison, by leave, presented the following Petitions :—

From William Sharp, praying compensation for conveying Her Majesty's Mails across the Jemseg Ferry :

From John Wiggins, praying to be reimbursed losses sustained by defending his Title to Lands granted to him by the Crown :

From William Heron, praying remuneration for labour performed under contract with a Supervisor : and

From Arthur M'Nutt Taylor, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hill, by leave, presented a Petition from Margaret Grant, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Brown, by leave, presented the following Petitions :—

From Thomas M'Curdy, praying aid for teaching a School :

From Alexander Moore, praying pecuniary aid :

From David Tapley, and thirty others, praying that the Act regulating the sale of Spirituous Liquors be repealed, and another passed :

From Carleton Division, Number 11, Sons of Temperance, with a like prayer :

From the Grand Division of the Sons of Temperance, praying that an Act may pass to prohibit the introduction, manufacture and sale of Spirituous Liquors :

From John W. Holderness and another, praying remuneration for services as Commissioners in building a Bridge over Richibucto River :

From H. Gilbert, Esquire, and one hundred and fifty others, praying that instructions be given to the Commissioners of the Provincial Penitentiary to employ only **manual**

manual labour in manufacturing articles, or that they be exported to a foreign market :

From Thomas Miller, with a like prayer : and

From Henry Gilbert, and eighty two others, praying that the clauses to abolish a property qualification in the Mayor and Aldermen of the City of Saint John, and to allow persons not having paid taxes to vote, may not become Law.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 19th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the Bill for erecting the Parish of Caraquet, in the County of Gloucester, into two separate Parishes, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Steves, with a Bill to incorporate the Hillsborough Plaister and Rail Road Company ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Ryan, with a Bill to establish the Road leading from the Baptist Meeting House in the Parish of Upham, in King's County, to the Church in Sussex Vale, as one of the Great Roads of Communication ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Porter, with a Bill to repeal an Act to provide for more effectually repairing the Streets and Bridges in part of the Parish of Saint Stephen ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The

The Honorable Mr. Connell, by leave, presented the following Petitions :—

From Henry Gilbraith, and ninety six others, praying that an Act may pass to incorporate the Local Grand Orange Lodge and Subordinate Lodges in New Brunswick :

From the Reverend J. G. C. Austin, and forty six others, with a like prayer :

From Abraham Magee, and one hundred and seven others, with a like prayer :

From J. F. Goddard, and sixty nine others, with a like prayer :

From William Vail, and one hundred and thirty three others, with a like prayer :

From Walker Tisdale, J. P., and one hundred and thirty eight others, with a like prayer :

From James Long, and ninety eight others, with a like prayer :

From R. C. Minnette, and two hundred and thirty four others, with a like prayer :

From James Bartrim, and one hundred and forty seven others, with a like prayer :

From Nathaniel Adams, and two hundred and nine others, with a like prayer :

From B. Ansley, and one hundred and thirty eight others, with a like prayer :

From John M'Creedy, and one hundred and eighty seven others, with a like prayer :

From E. W. Stephenson, J. P., and nineteen others, with a like prayer :

From John Corbett, and fifty three others, with a like prayer :

From Archibald M'Alister, and one hundred and thirty four others, with a like prayer :

From John C. Tapley, and thirty nine others, with a like prayer :

From David Willigar, and thirty seven others, with a like prayer :

From B. Beveridge, and one hundred and twelve others, with a like prayer :

From the Reverend Elias Keirstead, and sixty two others, with a like prayer :

From William Allingham, and fifty nine others, with a like prayer :

From Ebenezer Smith, J. P., and one hundred and three others, with a like prayer :

From William Wiggins, and forty eight others, with a like prayer :

From George Jones, and thirty six others, with a like prayer :

From William Haining, and thirty seven others, with a like prayer :

From Henry Baird, and fifty six others, with a like prayer :

From the Reverend John Rice, A. M., and ninety two others, with a like prayer :

From Peters Yeamans, J. P., and one hundred and fifteen others, with a like prayer :

From James A. Reeve, and forty eight others, with a like prayer :

From the Reverend Thomas M'Ghee, and forty five others, with a like prayer :

From John Britain and thirty nine others, with a like prayer :

From John Robinson, J. P., and one hundred and four others, with a like prayer :

From Henry A. Scovil, J. C. P., and one hundred and thirty eight others, with a like prayer :

From Robert Golding, J. P., and thirty others, with a like prayer :

From Joseph S. Holyoke, and fifty eight others, with a like prayer :

From Samuel Coy, and thirty one others, with a like prayer :

From Solomon Parent, J. P., and ninety others, with a like prayer :

From C. M'Pherson, J. P., and one hundred and seventy seven others, with a like prayer :

From Elias S. Wetmore, J. P., and forty others, with a like prayer :

From Benjamin Lester, and forty two others, with a like prayer :

From

From William Olive, J. P., and one hundred and thirty three others, with a like prayer :

From Thomas H. Black, praying aid for teaching a School :

From John M'Court, with a like prayer :

From Rachel M'Callum, with a like prayer :

From Sarah Ann Turner, with a like prayer :

From the Mayor, Aldermen and Commonalty of Saint John, praying aid to construct Landings for Sea-going Steamers :

From Thomas M'Avity, praying compensation for superintending Emigrant Establishment on Partridge Island :

From Thomas W. Smith, praying compensation for attending wounded Policemen in 1847 :

From Mrs. J. Wood, and seventy one other Ladies, praying the repeal of all Laws relating to Licences, and that a new Law may pass to make all parties engaging in the manufacture, importation or sale of Intoxicating Liquors, responsible for all injuries to life, property, or the peace of Society, resulting therefrom :

From James M'Grath, praying remuneration for costs paid the Solicitor General in a prosecution against him as Bail :

From the Trustees of the Temperance Hall in Carleton, Saint John, praying aid to complete their Building :

From William A. Robertson, and forty three others, praying that Duties may be imposed on ready made Clothing imported into this Province, to protect home industry : and

From Robert Rankin and Company, and forty five others, praying aid to place an Iron Bell Buoy at the entrance of the Harbour of Saint John.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Davidson, by leave, presented the following Petitions :—

From Alexander Cantley, praying for a Bounty for rebuilding an Oat Mill destroyed by fire :

From John Wilson, praying aid for running a Team Ferry Boat across the Miramichi River :

From William J. Berton, praying that an Act may pass to forfeit all Minerals and Coals raised within the Province except under Licence from the Crown :

From Thomas W. Underhill, and forty others, praying aid to remove Rocks from the South West Branch of the Miramichi : and

From Messieurs Gilmour, Rankin and Company, praying Return Duty.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Brown, by leave, presented the following Petitions :—

From Mary Whelpley, praying for a Revolutionary War Pension :

From James Moran, with a like prayer :

From Sabra Lyon, with a like prayer :

From Mercy M'Nichol, with a like prayer :

From Jane Hawkins, with a like prayer :

From Mary Pratt, with a like prayer :

From

From Margaret Grierson, with a like prayer :
 From Hannah M'George, with a like prayer :
 From Dugald Blair, praying remuneration for vaccinating poor people :
 From George M. Porter, praying Return Duty :
 From Zachariah Chipman, with a like prayer :
 From Jacob Young, J. P., and five hundred and sixty five others, praying that an Act may pass to incorporate the Saint Croix Lower Bridge Company :
 From Mary Carlisle, praying aid for teaching a School :
 From George M'Elhinney, with a like prayer :
 From Mary M. Leggett, with a like prayer :
 From William Henry Lockett, with a like prayer :
 From Elizabeth Wilson, with a like prayer :
 From James D. Turner, with a like prayer :
 From the Committee of the Roman Catholic School in Saint Andrews, with a like prayer :
 From John C. Murchie, praying remuneration for expenses incurred by purchase of Land from the Crown : and
 From Richard M'Gee, praying compensation for losses sustained by purchasing Land from a Pensioner, the same having been granted twice by the Crown.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Shore, by leave, presented a Petition from Mary Ann Fraser, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented the following Petitions :—

From the President and Directors of the Fredericton and Saint John Electric Telegraph Company, praying Return Duty :

From Patrick Campbell, J. P., and one hundred and sixteen others, praying that an alteration may be made in the line of Road from Miramichi to Fredericton : and

From Thomas Allan, J. P., and others, praying that Legislative provisions may be made on the subject of Mining privileges.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Saunders, by leave, presented a Petition from James Malone, praying aid for a stage between Fredericton and Stanley.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Solicitor General, by leave, presented the following Petitions :—

From the Fredericton Gas Light Company, praying for Return Duty : and

From Spafford Barker, Esquire, with a like prayer.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hill, by leave, presented the following Petitions :—

From John Wilson, praying compensation for Timber taken from Lands on the Oromocto River :

From Mary Grant, praying aid for teaching a School : and

From

From John Wilson, Esquire, praying aid to improve Dark Harbour in Grand Manan.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Odell, by leave, presented a Petition from William Grosvenor, praying Return Duty.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 20th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to repeal an Act to provide for more effectually repairing the Streets and Bridges in part of the Parish of Saint Stephen : and

A Bill to establish the Road leading from the Baptist Meeting House in the Parish of Upham, in King's County, to the Church in Sussex Vale, as one of the Great Roads of Communication.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill for erecting the Parish of Caraquet, in the County of Gloucester, into two separate Parishes.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Crane, that the Assembly had agreed to the amendments made by this House to the Bill to incorporate the Miramichi and Richibucto Electric Telegraph Company.

A Message was brought from the Assembly by Mr. Read, with a Bill to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County

County to pay off the County Debts; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Hill, by leave, presented the following Petitions:—

From Thomas Fulton, praying remuneration for losses sustained in defending Title to Lands granted to him, the same having been twice granted by the Crown: and

From Thomas Brown, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Davidson, by leave, presented the following Petitions:—

From the President and Directors of the Mechanics' Institute in Newcastle, praying aid to purchase Books and Apparatus:

From the Committee of the Temperance Hall in Chatham, and others, praying aid to pay off their debts:

From John T. Williston and William Letson, praying remuneration for superintending the Lazaretto in Miramichi:

From Patrick Dignum and others, praying for balances due them for services performed at the Lazaretto, Miramichi:

From John Caton, with a like prayer:

From the Justices of the Peace for the County of Gloucester, praying aid to erect a Public Wharf at Bathurst:

From Pascal Landry, praying for reimbursement of Law expenses: and

From John Doran, praying for an addition to his Salary as Tide Waiter at Shippegan.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Brown, by leave, presented a Petition from Robert Morrison, and ninety others, praying remuneration for a School Lot subsequently granted by the Crown to the Episcopal Church.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Connell, by leave, presented the following Petitions:—

From Benjamin S. Bailey, praying aid for teaching a School:

From Mariners' Division, Number 38, Sons of Temperance, praying that an Act may pass to prohibit the importation, manufacture and sale of Spirituous Liquors:

From George Darrah, and thirty others, praying that an Act may pass to incorporate the Loyal Grand Orange Lodge and Subordinate Lodges in New Brunswick:

From John Kembal, and sixty seven others, with a like prayer:

From J. Brittain, J. P., and thirty three others, with a like prayer: and

From John Wightman, J. P., and one hundred and fifty three others, with a like prayer.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 21st February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Harrison,
Mr. Brown,*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations beg leave to report that they have examined "A Bill to incorporate the Hillsborough Plaister and Rail Road Company," and recommend the same to the adoption of the House without any amendment.

Respectfully submitted.

Committee Room, February 21, 1851.

A. E. BOTSFORD, Chairman.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into Committee of the whole presently, to take the said Bill and the Report of the Select Committee thereon into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill for erecting the Parish of Caraquet, in the County of Gloucester, into two separate Parishes, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Pursuant

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to repeal an Act to provide for more effectually repairing the Streets and Bridges in part of the Parish of Saint Stephen.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to amend and extend the operations of the Act to incorporate the Fredericton and Saint John Electric Telegraph Company.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time to-morrow.

A Message was brought from the Assembly by Mr. Rice, with the following Bills, to which they desire the concurrence of this House :—

A Bill to incorporate the Woodstock Farmers' and Mechanics' Library Society : and
A Bill to incorporate the Arestook Falls Canal and Mill Company.

The said Bills were severally read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bills, and that they be severally read a second time presently.

The said Bills were severally read a second time.

ORDERED, That the said Bills be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Harrison, by leave, presented a Petition from Queen's Division, Number 21, Sons of Temperance, praying aid to build a Temperance Hall.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Solicitor General, by leave, presented the following Petitions :—

From E. Stephen, and twenty seven others, praying for repeal of the Act to widen Water Street in Saint John : and

From Andrew Blair, praying relief for losses sustained in building the Gaol in Fredericton.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Davidson, by leave, presented the following Petitions :—

From Charles Stewart, praying remuneration for erecting Bridge over M'Kay's Cove :
From

From William Napier, Gauger and Weigher at Bathurst, praying remuneration in that capacity :

From the Trustees of the Grammar School, Newcastle, praying aid to that School :

From David Crocker, Supervisor, praying remuneration for defending two Suits against him in that capacity :

From John Rennie, praying remuneration for ferrying Her Majesty's Mail across the Miramichi River : and

From Messieurs Gilmour, Rankin and Company, praying Return Duty.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hill, by leave, presented the following Petitions :—

From W. H. Williams, praying aid to run a Stage between Saint John and Fredericton : and

From Thomas Jones, Esquire, praying remuneration for expenses incurred in executing the Writ of Election for Charlotte.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented a Petition from Oliver Richard, and fifty one others, praying that Legislative provisions may be made for running out and defining the division lines of an ancient Grant.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 22d February, 1851.

PRESENT :

THE HON. .

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed :—

A Bill to incorporate the Hillsborough Plaister and Rail Road Company : and

A Bill for erecting the Parish of Caraquet, in the County of Gloucester, into two separate Parishes.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the Bill, intituled "An Act to amend and extend the operations of the Act to incorporate the Fredericton and Saint John Electric Telegraph Company," as engrossed, was read a third time and passed.

N

ORDERED,

ORDERED, That the Title be—

An Act to amend and extend the operations of the Act to incorporate the Fredericton and Saint John Electric Telegraph Company.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly and acquaint that House that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to establish the Road leading from the Baptist Meeting House in the Parish of Upham, in King's County, to the Church in Sussex Vale, as one of the Great Roads of Communication.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Saunders, by leave, presented a Petition from Mrs. M'Lauchlan, Widow, praying pecuniary aid.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Harrison, by leave, presented a Petition from John Allingham, praying remuneration for conveying Mail from Gagetown to the Nerepis Road.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Davidson, by leave, presented a Petition from the Justices of Northumberland, praying aid to pay off County Debt.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Connell, by leave, presented the following Petitions :—

From Samuel P. White, and twenty one others, praying for an Act to incorporate the Grand Orange Lodge and Subordinate Lodges in New Brunswick :

From Henry V. Vradenburgh, and forty four others, with a like prayer :

From George Black, and forty two others, with a like prayer :

From Samuel Scovil, J. P., and thirty seven others, with a like prayer :

From Charles Gidney, and forty two others, with a like prayer : and

From Gilbert R. Merritt, and eighty two others, with a like prayer.

ORDERED, That the same be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 24th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations have to report that they have examined "A Bill to incorporate the Woodstock Farmers' and Mechanics' Library Society," and recommend the same to the adoption of the House without amendment. They have also examined "A Bill to incorporate the Arestook Falls Canal and Mill Company," and have prepared certain amendments to the same, which they recommend to the favourable consideration of the House.

Respectfully submitted.

Committee Room, February 22, 1851.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration, together with the Report of the Select Committee thereon.

A Message was brought from the Assembly by Mr. Porter, with a Bill to incorporate the Saint Stephen Rail Road Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Botsford, with a Bill to authorize and empower the Trustees of certain Glebe Lands in the Parish of Monkton, in the County of Westmorland, to sell the same, and vest the proceeds in other Lands; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A

A Message was brought from the Assembly by Mr. M'Leod, with a Bill to continue an Act to empower the owners of certain Saw Mills on Hammond River, in King's County, to erect and keep up a Boom or Booms for the securing of Logs in the said River; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Scoullar, with a Bill to suspend the operation of the Militia Laws; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Ritchie, with a Bill to incorporate the European and North American Railway Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Gray, with a Bill in further amendment of an Act, intituled "An Act for granting Patents for useful Inventions;" to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Chandler, by direction of His Excellency the Lieutenant Governor, lays before the House the following Papers:—

A Report from the Commissioners of the Lunatic Asylum for 1850: also

The Return of the Commissioners of the Portland Police for 1850.

[*Vide Appendix No. 1.*]

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

The Honorable Mr. Botsford, by leave, presented the following Petitions:—

From Thomas Robson, praying Legislative encouragement for the erection of a Fog Bell: and

From

From William Henry Buckerfield and others, praying for an Act of Incorporation for the proprietors of the Colstoun Settlement.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Brown, by leave, presented a Petition from Jane Austen, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 25th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Haich,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to suspend the operation of the Militia Laws :

A Bill in further amendment of an Act for granting Patents for useful Inventions :

A Bill to authorize and empower the Trustees of certain Glebe Lands in the Parish of Monkton, in the County of Westmorland, to sell the same, and to vest the proceeds in other Lands: and

A Bill to continue an Act to empower the owners of certain Saw Mills on Hammond River, in King's County, to erect and keep up a Boom or Booms for the securing of Saw Logs in the said River.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Woodstock Farmers' and Mechanics' Library Society, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to establish the Road leading from the Baptist Meeting House in the Parish of Upham, in King's County, to the Church in Sussex Vale, as one of the Great Roads of Communication.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Arestook Falls Canal and Mill Company, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Botsford, from the Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations report that they have examined "A Bill to incorporate the Saint Stephen Rail Road Company," and have prepared certain amendments to the same, which they recommend to the adoption of the House.

Respectfully submitted.

Committee Room, February 25, 1851.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill and the Report of the Select Committee thereon into consideration.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 26th February, 1851.

PRESENT :

THE HON.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,*

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hazen,*

Mr.

*Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize and empower the Trustees of certain Glebe Lands in the Parish of Monkton, in the County of Westmorland, to sell the same, and to vest the proceeds in other Lands.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

The Honorable the President lays before the House the following Corporation Returns, viz :—

Bank of New Brunswick, on sixth January 1851 :
Commercial Bank, April and October 1850 :
Saint Stephen Bank, July 1850, and January 1851 :
Charlotte County Bank, October 1850 :
Central Bank, June and December, 1850 :
Marine Assurance Company, June 1850, and January 1851 :
South Bay Boom Company, thirteenth May 1850.

ORDERED, That the same do lie on the Table.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations beg leave to report that they have examined "A Bill to incorporate the European and North American Railway Company," and have prepared an amendment to the same, which they recommend to the adoption of the House.

Respectfully submitted.

Committee Room, February 26, 1851.

A. E. BOTSFORD, Chairman.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into Committee of the whole presently, to take the said Bill and the Report of the Select Committee thereon into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The

The said amendment was then read by the Clerk, as follows :—

At A at the end of the Bill, add a new Section, as follows :—

“ LXV. And be it enacted, That this Act shall come into operation and be in force from and after the first day of June next ensuing.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

A Message was brought from the Assembly by Mr. Tilley, with a Bill to provide for the services of the Speaker and Members of the House of Assembly, when attending the General Assembly ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Thomson, with a Bill to incorporate the Musquash and Digdeguash Brook River Driving Company ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Thomson, with a Bill to establish the Road from Lower Trout Brook Bridge, on the Great Road between Saint Andrews and Fredericton, to the Town of Magaguadavic, as one of the Great Roads of Communication ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Hazen presented to the House a Bill, intituled “ An Act relating to the competency of Witnesses in certain cases.”

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Brown, by leave, presented a Petition from Edward W. Guest, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Connell, by leave, presented the following Petitions :—

From the Reverend R. Knight, Chairman of the Board of Trustees of the Wesleyan Academy, praying aid for that Institution :

From William Grieves, praying remuneration for ferrying Mails over the River Saint John :

From N. S. Hooper, with a like prayer :

From Samuel Foster, J. P., and others, praying an Act of the Legislature to erect a Boom over Hammond River :
From

From Alexander Wilson, praying Legislative aid :

From C. A. Hammond, J. P., and others, praying for an Act of Incorporation for the Agricultural Society in Victoria :

From Simon Hebert, praying relief from the alleged injustice of the Commissioners under the Fourth Article of the Treaty of Washington : and

From Benjamin Beveridge, and four hundred and twenty two others, praying that a part of the County of Victoria may be set off in a separate Riding.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Davidson, by leave, presented a Petition from George Johnston, and one hundred and seven others, praying that the Parish of Glenelg may be divided into two Parishes.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented a Petition from the South Bay Boom Company, against any Act of Assembly authorizing any private individual to Boom any Cove in Grand Bay.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 27th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize and empower the Trustees of certain Glebe Lands in the Parish of Monkton, in the County of Westmorland, to sell the same, and to vest the proceeds in other Lands, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to provide for the services of the Speaker and Members of the House of Assembly, when attending the General Assembly :

A Bill to establish the Road from Lower Trout Brook Bridge, on the Great Road between Saint Andrews and Fredericton, to the Town of Magaguadavic, as one of the Great Roads of Communication: and

A Bill, intituled "An Act relating to the competency of Witnesses in certain cases."

P

ORDERED,

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration.

A Message was brought from the Assembly by Mr. Gilibert, with Resolutions of Appropriation dated the twenty fourth and twenty sixth days of February instant; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

A Message was brought from the Assembly by Mr. Wilmot, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act to amend and extend the operations of the Act to incorporate the Fredericton and Saint John Electric Telegraph Company."

The Honorable Mr. Chandler presented to the House a Bill, intituled "An Act for making certain alterations in the Constitution of the Legislative Council of this Province."

The said Bill was read a first time.

ORDERED, That one hundred copies of the said Bill be printed for the use of the Legislature.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to suspend the operation of the Militia Laws.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to incorporate the Arestook Falls Canal and Mill Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A in Section I. insert the words "by Act of Assembly of this Province."

At B insert the words "for the purpose of constructing a Canal or Raft Sluice round the Arestook Falls, to commence at the Boundary Line between this Province and the State of Maine, and to extend to the junction of the Arestook River with the River Saint John, and for the purpose of erecting Mills for the manufacture of Lumber and Flour, and for carrying on and managing the same.

At C in Section VII. expunge the whole Section, and insert the following:—

"And be it enacted, That the joint stock and property of the Company shall alone
in

in the first instance be responsible for the debts and engagements of the said Company; and that no creditors or person or persons having any demand against the said Company, for or on account of any dealings with the said Company, shall have recourse against the separate property of any shareholder on account thereof, except in case of deficiency or when the joint stock of the said Company shall fall short of or not be equal to the payment of any debt, due or demand against the same, or upon *nulla bona* being returned on any Execution issued against the goods and chattels of said Company; that then and in either of such cases the goods and chattels, lands and tenements of each shareholder shall and may be levied upon and seized respectively to satisfy such debt or demand, to the extent of double the amount of the share or shares or interest of such shareholder in the joint stock of the said Company, but no more; and that such double amount, or so much as may be necessary to satisfy such debt, due or demand, shall and may be levied and seized by process of Execution in the same suit in which such debt, due or demand may be recovered against the said Company."

At D in Section IX. insert as follows—"nor in any way divert the water of the said Arestook River to the injury or prejudice of any owner or owners of any Mill Site or water power along the said River, without first making due compensation to the said owner or owners thereof for any depreciation in value that may be caused to such Mill Site or water power; such depreciation to be ascertained in the same manner as hereinafter provided."

At E expunge the word "improved."

At F expunge the words "nevertheless that the said Jury, in assessing the said damages, are authorized and empowered, and shall take into consideration the enhancement in value of the said Land by the passage of the said Canal or the erection of Mills in diminution of the damages, and also."

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to continue an Act to empower the owners of certain Saw Mills on Hammond River, in King's County, to erect and keep up a Boom or Booms for the securing of Saw Logs in the said River.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

The Honorable Mr. Minchin, by leave, presented the following Petitions :—

From Charles Shelton, praying aid for teaching a School :

From Mary Hickey, praying for Revolutionary War Pension :

From Rachel Cornelison, with a like prayer :

From Abigail M'Kay, with a like prayer :

From

From Mary Green, with a like prayer :
 From William Philps, praying Return Duty :
 From F. W. Hatheway, with a like prayer :
 From John M'Intosh, with a like prayer :
 From same, praying return of money paid for Horses illegally seized : and
 From James A. Miles, and one hundred and eight others, praying an Act may pass
 to relieve them from all connexion with the Alms House in Fredericton.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented the following Petitions :—

From the Mechanics' Institute of Saint John, praying pecuniary aid :
 From James O'Connor, praying Return Duty :
 From Elizabeth M'Cann, praying aid for teaching a School :
 From John Turner, praying aid for running a Stage from Fredericton to Saint
 Andrews : and
 From Moses Spragg, praying remuneration for assistance afforded a Special Con-
 stable wounded in discharge of his duty.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Brown, by leave, presented the following Petitions :—

From Henry Frazer, praying aid for teaching a School : and
 From Jacob M'Lellan, with a like prayer.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 28th February, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
 Mr. Botsford,
 Mr. Hatch,
 Mr. Minchin,
 Mr. Hill,
 Mr. Davidson,
 Mr. Odell,*

*Mr. Saunders,
 Mr. Chandler,
 Mr. Solicitor General,
 Mr. Hazen,
 Mr. Harrison,
 Mr. Brown,
 Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third
 time, and passed :—

A Bill to incorporate the Arestook Falls Canal and Mill Company : and
 A Bill to continue an Act to empower the owners of certain Saw Mills on Hammond
 River, in King's County, to erect and keep up a Boom or Booms for the securing of
 Saw Logs in the said River.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the last entered Bill without any amendment; also to the first entered Bill, with certain amendments, to which they desire the concurrence of the Assembly.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to incorporate the Saint Stephen Rail Road Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The amendments were then read by the Clerk, as follows:—

At A in Section I. insert the following words—“shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province.”

At B in Section XVIII. expunge the whole Section, and add a new one as follows:—

“And be it enacted, That the said Company, to entitle themselves to the privileges, benefits and advantages to them granted in this Act, shall and they are hereby required to make and complete the said Railway from the Upper Mills, in the Parish of Saint Stephen, in the County of Charlotte, in this Province, to the mouth of Dennis Creek, within five years from the passing of this Act, and complete the remaining part of the said Rail Road, from Dennis Creek to the Ledge, or to Oak Point, in the said Parish, within ten years from the passing of this Act; and if the same shall not be so made and completed within the period before mentioned, so as to be used for the conveyance and carriage of passengers, goods, chattels, wares, and merchandize thereon, then this Act, and any matter or thing therein contained, shall cease and be utterly null and void.”

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the twenty fourth and twenty sixth days of February instant, respectively, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Porter, with a Bill to continue an Act to authorize the commutation of Debts due the Crown by Settlers in certain

cases for work on the Public Roads ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Taylor, with the following Bills, to which they desire the concurrence of this House :—

A Bill to repeal the third Section of an Act made and passed in the fifth year of the Reign of His Majesty King George the Fourth, intituled “ An Act for erecting a part of the Parishes of Saint Mary’s and Queensbury into a separate or distinct Town or Parish :”

A Bill to provide for the appointment of Commissioners for the Alms House and Work House for the County of York : and

A Bill to authorize the Governor and Trustees of the Madras School in New Brunswick to sell and dispose of certain Lands in the City of Fredericton.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly by Mr. Hatheway, with a Bill to authorize and empower the Justices of the Peace for the County of York to sell the old Gaol Lot in the City of Fredericton ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Hatch, by leave, presented a Petition from Solomon Lawson and Thomas Corrigan, praying aid to run a Stage between Fredericton and Saint John.

ORDERED, That the same be received and lie on the Table.

ORDERED, That the Honorable Mr. Connell have leave of absence till Wednesday next.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 1st March, 1851.

PRESENT :

THE HON.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell.*

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Saint Stephen Rail Road Company, as amended, was read a third time and passed.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to continue an Act to authorize the commutation of Debts due the Crown by Settlers in certain cases for work on the Public Roads :

A Bill to repeal the third Section of an Act made and passed in the fifth year of the Reign of His Majesty King George the Fourth, intituled "An Act for erecting a part of the Parishes of Saint Mary's and Queensbury into a separate or distinct Town or Parish :"

A Bill to provide for the appointment of Commissioners for the Alms House and Work House for the County of York :

A Bill to authorize the Governor and Trustees of the Madras School in New Brunswick to sell and dispose of certain Lands in the City of Fredericton : and

A Bill to authorize and empower the Justices of the Peace for the County of York to sell the old Gaol Lot in the City of Fredericton.

ORDERED, That the House be put into Committee of the whole on Monday next, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to establish the Road from Lower Trout Brook Bridge, on the Great Road between Saint Andrews and Fredericton, to the Town of Magaguadavic, as one of the Great Roads of Communication.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time on Monday next.

Adjourned until Monday next at 12 o'clock.

MONDAY, 3d March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,*

PRAYERS.

On motion—

The Bill, intituled "An Act for making certain alterations in the Constitution of the Legislative Council of this Province," was read a second time. **ORDERED,**

ORDERED, That the House be put into Committee of the whole on Monday the twenty fourth March instant, to take the said Bill into consideration.

ORDERED, That there be a call of the House on Monday the twenty fourth instant, and that the Clerk do notify absent Members.

On motion—

The House was put into Committee of the whole to take into consideration the Bill, intituled “An Act relating to the competency of Witnesses in certain cases.”

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration the Bill in further amendment of an Act, intituled “An Act for granting Patents for useful Inventions.”

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to continue an Act to authorize the commutation of Debts due the Crown by Settlers in certain cases for work on the Public Roads.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to repeal the third Section of an Act made and passed in the fifth year of the Reign of His Majesty King George the Fourth, intituled “An Act for erecting a part of the Parishes of Saint Mary’s and Queensbury into a separate or distinct Town or Parish.”

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to provide for the appointment of Commissioners for the Alms House and Work House for the County of York.

The

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize and empower the Justices of the Peace for the County of York to sell the old Gaol Lot in the City of Fredericton.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

The Chairman further reported, that upon the question, whether the following additional amendment should pass, viz:—

“ Provided that nothing in this Act contained shall be held or taken to divest any right or title now existing in the Queen’s Majesty to the said Land ;”

The Committee divided as follows:—

CONTENT.

2

NON-CONTENT.

8

Whereupon it passed in the negative.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A in the Preamble, expunge the word “ purposes,” and insert the word “ debts.”

At B in Section I. expunge the word “ purposes,” and insert the word “ debts.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

A Message was brought from the Assembly by Mr. Williston, with a Bill for dividing the Parish of Glenelg, in the County of Northumberland, into two separate Parishes; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Barberie, with a Bill to make further provision for the service of Non-Bailable Process; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Rice, with a Bill to amend the Act to consolidate and amend the Laws relating to the local government of Counties,

R

Towns

Towns and Parishes in this Province, so far as relates to the County of Victoria; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Hanington, with a Bill in addition to the Law relating to Inland Posts; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Gray, with a Bill to continue and amend an Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Davidson, by leave, presented a Petition from Melinda J. Allen, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented the following Petitions:—

From Reverend Ingham Sutcliffe and others, praying an Act to pass to support Schools by taxation: and

From Samuel Strange and others, praying that no Act may pass to authorize the sale of certain Lands to pay off the Debts of the Corporation of the City of Saint John, or to facilitate a Loan by the Mayor, Aldermen and Commonalty of the said City, for the same purpose.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 4th March, 1851.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,*

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act relating to the competency of Witnesses in certain cases," as engrossed, was read a third time and passed.

ORDERED,

ORDERED, That the Title be—

An Act relating to the competency of Witnesses in certain cases.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly and acquaint that House that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill to authorize and empower the Justices of the Peace for the County of York to sell the old Gaol Lot in the City of Fredericton, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to continue an Act to authorize the commutation of Debts due the Crown by Settlers in certain cases for work on the Public Roads, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill for dividing the Parish of Glenelg, in the County of Northumberland, into two separate Parishes :

A Bill to make further provision for the service of Non-Bailable Process :

A Bill in addition to the Law relating to Inland Posts :

A Bill to amend the Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province, so far as relates to the County of Victoria : and

A Bill to continue and amend an Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to authorize the Governor and Trustees of the Madras School in New Brunswick to sell and dispose of certain Lands in the City of Fredericton.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The amendments were then read by the Clerk, as follows :—

At A at the end of the Bill, add a new Section, as follows :—

“ II. And be it enacted, That it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent

consent of the Executive Council, to appoint five fit persons, being inhabitants of the City of Saint John, additional Trustees of the Board of the Governor and Trustees of the Madras School in New Brunswick; and in case of any vacancy occurring by the death, removal or resignation of any of the said five Trustees, the said Governor and Trustees at any meeting of the said Corporation shall elect another fit person, being an inhabitant of the said City, to fill such vacancy, who being approved of by the Lieutenant Governor or Administrator of the Government for the time being, shall be one of the Trustees of the said Corporation; and every other vacancy in the said non-official Members of the said Board so to be appointed under this Act, shall be filled from time to time in the same manner."

At B at the end of the Title, add the words "and for other purposes."

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to provide for the appointment of Commissioners for the Alms House and Work House for the County of York.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

A Message was brought from the Assembly by Mr. Gilbert, with a Bill to establish places for Polling in the Parish of Wickham, in Queen's County; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Odell gives notice of motion for an Address to His Excellency the Lieutenant Governor for copies of Despatches on the subject of Elective Legislative Councils.

The Honorable Mr. Brown, by leave, presented a Petition from John Burns, praying remuneration for losses sustained by the Crown granting Lands twice.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented a Petition from Robert Foulis, praying an extension of time on Mining Leases.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented the following Petitions :—

From Doherty and M'Tavish, praying Return Duties :

From Thomas E. Millidge, with a like prayer : and

From Thomas P. Marter and others, praying for increase of pay as Lockers-up in the Warehouse at Saint John.

ORDERED, That the same be received and lie on the Table.

On

On motion—

ORDERED, That the Honorable Messieurs Saunders and the Solicitor General have leave of absence.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 5th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Chandler,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,*

*Mr. Botsford,
Mr. Hatch,
Mr. Hazen,
Mr. Harrison,
Mr. Odell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Governor and Trustees of the Madras School in New Brunswick to sell and dispose of certain Lands in the City of Fredericton, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to provide for the appointment of Commissioners for the Alms House and Work House for the County of York, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

On motion—

The Bill to incorporate the European and North American Railway Company, as amended, was read a third time.

Then the following additional amendment was moved :—

At A at the end of Section XLIII. insert the following new Sections, and alter the numbers of the remaining Sections accordingly :—

“XLIV. And be it enacted, That the said Company at the first general meeting for the choice of Directors shall elect two Auditors, in like manner as is provided for the election of Directors; and at the annual general meeting of the Company in each year thereafter, the Company shall in like manner elect an Auditor to supply the place of the Auditor then retiring from office, according to the provision hereinafter contained; and every Auditor so elected, being neither removed nor disqualified, nor having resigned, shall continue to be an Auditor until another be elected in his stead; and one of the two Auditors first elected (to be determined in the first instance by ballot between themselves, unless they shall otherwise agree, and afterwards by seniority) shall go out of office at the annual general meeting in each year; but the Auditor so going out shall be immediately re-eligible, and after any such re-election shall, with respect to the going out

of office by rotation, be deemed a new Auditor; and if any vacancy take place among the Auditors in the course of the current year, the vacancy shall be filled by the Shareholders at a special meeting; provided always, that every Auditor shall have at least one Share of Stock in the said Company, but shall not hold any other office in the same, or be in any other manner interested in its concerns, except as a Shareholder.

“XLV. And be it enacted, That the Directors of the Company shall deliver to such Auditors the half yearly or other periodical Accounts and Balance Sheet, at least fourteen days before the annual general meeting, or before any special or periodical meeting at which the same are required to be produced to the Shareholders; and it shall be the duty of the Auditors to receive and examine such Accounts; and it shall be lawful for the Auditors to employ such Accountants, and other persons as they may think proper, at the expense of the Company, and they shall either make a special report on the said Accounts, or simply confirm the same; and such report or confirmation shall be read, together with the report of the Directors, at every annual or half yearly, or special meeting, at which the Accounts of the Company shall be presented.

“XLVI. And be it enacted, That before any person entrusted with the custody or control of moneys, whether Treasurer, Collector, or other Officer of the Company, shall enter upon his office, the Directors shall take sufficient security from him for the faithful execution of his office.

“XLVII. And be it enacted, That every Officer employed by the Company shall from time to time, when required by the Directors, make out and deliver to them, or to any person appointed by them for that purpose, a true and perfect Account in writing, under his hand, of all moneys received by him on behalf of the Company; and such Account shall state how, and to whom, and for what purpose, such moneys shall have been disposed of; and together therewith such Officer shall deliver the vouchers and receipts for such payments; and every such Officer shall pay to the Directors, or to any person appointed by them to receive the same, all moneys which shall appear to be owing from him upon the balance of such Accounts.

“XLVIII. And be it enacted, That if any Officer of the Company shall fail to render such Account, or to produce and deliver up all the vouchers and receipts relating to the same, which are in his possession or power, or to pay the balance due by him when required, or if for three days after being required he fail to deliver up to the Directors, or to any person appointed by them to receive the same, all papers and writings, property, effects, matters and things, in his possession or power, relating to the execution of his office, or belonging to the Company, then on complaint thereof being made to a Justice of the Peace, such Justice shall summon such Officer to appear before two or more Justices, at a time and place to be set forth in the Summons, to answer such charge; and upon appearance of such Officer, or in his absence, upon proof that the Summons was personally served upon him, or left at his last known place of abode, the Justice may hear and determine the matter in a summary way, and may adjust and declare the balance owing by such Officer; and if it appear, either upon confession of such Officer, or upon evidence, or upon inspection of the Account, that any moneys of the Company are in the hands of such Officer, or owing by him to the Company, the Justices may order such Officer to pay the same; and if he fail to pay the amount, it shall be lawful for such Justices to grant a Warrant to levy the same by distress, or in default thereof to commit the offender to Gaol, there to remain without bail for a period not exceeding two months, unless the same be sooner paid.

“XLIX. And be it enacted, That if any such Officer shall refuse to make out an Account in writing, or to produce and deliver to the Justice the several vouchers and receipts relating thereto, or to deliver up any books, papers, or writings, property, effects, matters, or things in his possession or power, belonging to the Company, the Justices may lawfully commit such Officer to Gaol, there to remain until he shall have delivered up all the vouchers and receipts, if any, in his possession or power, relating to such Accounts, and have delivered up all books, papers, writings, property, effects, matters and things, if any, in his possession or power, belonging to the Company; provided always, that if any Director, or other person acting on behalf of the Company, shall make oath that he has good reason to believe, upon grounds to be stated in his deposition, and does believe that it is the intention of any such Officer as aforesaid to abscond, it shall be lawful for the Justice before whom the complaint is made, instead of issuing his Summons, to issue his Warrant for the bringing such Officer before two such Justices as aforesaid; but no person executing such Warrant shall keep such Officer in custody longer than twenty four hours before bringing him before some Justice; and it shall be lawful for the Justice before whom such Officer may be brought, either to discharge such Officer, if he think there is no sufficient ground for his detention, or to order such Officer to be detained in custody so as to be brought before two Justices, at a time and place to be named in the Order, unless such Officer give bail to the satisfaction of the Justice for his appearance before the Justices to answer the complaint of the Company.

“L. And be it enacted, That no such proceeding against or dealing with any Officer as aforesaid, shall deprive the Company of any remedy which they might otherwise have against such Officer, or any surety of such Officer.

“LI. And be it enacted, That the said Company shall annually submit to the Legislature, within the first fifteen days after the opening of each Session, a detailed and particular account, attested upon oath of the Treasurer and two Directors, of the moneys received and expended by the Company under and by virtue of this Act, with a statement of the amount of tonnage and of passengers that have been conveyed along the said Road.

“LII. And be it enacted, That the Lieutenant Governor in Council may order and direct the said Company, and whereupon it shall be their duty to make up and deliver to the Provincial Secretary, Returns according to a Form to be from time to time prescribed by the Lieutenant Governor in Council, of the aggregate traffic in passengers according to their several classes, and of the aggregate traffic in cattle and goods respectively, on the said Railway, as well as of all accidents which have occurred thereon attended with personal injury; and also a Table of all tolls, rates and charges from time to time levied on each class of passengers, and on cattle and goods conveyed on the said Railway.”

The question was then put, whether the said Bill and the amendments should pass. Whereupon it was decided in the affirmative.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to establish places for Polling in the Parish of Wickham, in Queen’s County, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

Pursuant

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill for dividing the Parish of Glenelg, in the County of Northumberland, into two separate Parishes.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill in addition to the Law relating to Inland Posts.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to make further provision for the service of Non-Bailable Process.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

A Message was brought from the Assembly by Mr. Botsford, with the following Bills, to which they desire the concurrence of this House :—

A Bill to amend an Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province: and

A Bill to exclude certain Officers from being Members of the House of Assembly.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly by Mr. Needham, with a Bill to extend the provisions of an Act, intituled "An Act in addition to an Act, intituled 'An Act to extend the privileges of Solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province,'" to the Reverend William Thomas Wishart, Spiritual Teacher to the Congregation of Modern Calvinists in the City of Saint John; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Davidson, by leave, presented a Petition from Thomas Carman, Postmaster at Bathurst, praying an increase of Salary.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 6th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Chandler,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Connell.*

*Mr. Botsford,
Mr. Hatch,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed:—

A Bill in addition to the Law relating to Inland Posts :

A Bill to make further provision for the service of Non-Bailable Process : and

A Bill for dividing the Parish of Glenelg, in the County of Northumberland, into two separate Parishes.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to exclude certain Officers from being Members of the House of Assembly :

A Bill to amend an Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province : and

A Bill to extend the provisions of an Act, intituled "An Act in addition to an Act, intituled 'An Act to extend the privilege of Solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province,'" to the Reverend William Thomas Wishart, Spiritual Teacher to the Congregation of Modern Calvinists in the City of Saint John.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration a Bill to establish places for Polling in the Parish of Wickham, in Queen's County.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Rice, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Arestook Falls Canal and Mill Company.

A Message was brought from the Assembly by Mr. Hatheway, that the Assembly had agreed to the amendments sent down from this House to the Bill to authorize and empower the Justices of the Peace for the County of York to sell the old Gaol Lot in the City of Fredericton.

A Message was brought from the Assembly by Mr. Porter, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Saint Stephen Rail Road Company.

A Message was brought from the Assembly by Mr. Barberie, with a Bill to alter and amend the fifth Section of an Act, intituled "An Act to consolidate the Laws relating to Buoys and Beacons," so far as relates to the County of Restigouche; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion—

ORDERED, That the Honorable Mr. Brown have leave of absence on account of severe indisposition; also

That the Honorable Mr. Chandler have leave of absence.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 7th March, 1851.

PRESENT:

THE HON.

*Mr. Shore,
Mr. Hatch,
Mr. Hill,
Mr. Davidson,
Mr. Connell.*

Mr. Black, President.

*Mr. Botsford,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to alter and amend the fifth Section of an Act, intituled "An Act to consolidate the Laws relating to Buoys and Beacons," so far as relates to the County of Restigouche, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Needham, with a Bill to provide for laying down Common Sewers in the City of Saint John; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Taylor, with a Bill to alter and amend an Act, intituled "An Act to incorporate the New Brunswick Society for the encouragement of Agriculture, Home Manufactures and Commerce throughout the Province,

Province, and to regulate and provide for the same ;” to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Thomson, with a Bill to amend an Act relating to the repairing of the Streets and Bridges in a part of the Parish of Saint Stephen ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion made and seconded—

ORDERED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause a copy of His Despatch, No. 20, addressed to Lord Grey on the twenty eighth of April last, together with copies of all the Correspondence that may have taken place between His Excellency and Lord Grey on the subject of Elective Legislative Councils, as well as copies of any Minutes or Reports of the Executive Council in reference thereto, to be laid before this House ; also such Extracts from the Royal Instructions or from His Excellency the Governor General’s Commission as relates to the Constitution of the Legislative Council of this Province.

ORDERED, That the Honorable Messieurs Odell and Connell be a Committee to wait upon His Excellency the Lieutenant Governor, and present the same.

The Honorable Mr. Connell, by leave, presented the following Petitions :—

From Charles Perley, and eighty six others, praying that the Militia Trainings may be abolished : and

From Stephen Wiggins, Esquire, and five hundred and thirteen others, praying that provisions may be made for the destruction of Smuggled Liquor.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented the following Petitions :—

From Cochran Craig, J. P., and one hundred and forty two others, praying for Bounty on Vessels used in the Fisheries : and

From the same, and one hundred and twenty six others, praying that Grand Manan may be made a Free Port.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o’clock.

SATURDAY, 8th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Odell,*

*Mr. Botsford,
Mr. Solicitor General,
Mr. Hazen,
Mr. Davidson,
Mr. Connell.*

PRAYERS.

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to amend an Act relating to the repairing of the Streets and Bridges in a part of the Parish of Saint Stephen :

A Bill to alter and amend an Act, intituled “ An Act to incorporate the New Brunswick Society for the encouragement of Agriculture, Home Manufactures and Commerce throughout the Province, and to regulate and provide for the same :” and

A Bill to provide for laying down Common Sewers in the City of Saint John.

ORDERED, That the House be put into Committee of the whole on Monday next, to take the said Bills severally into consideration.

The Honorable Mr. Hazen presented to the House the following Bills, viz :—

A Bill, intituled “ An Act relating to the appointment of the Gaoler of the Gaol of the City and County of Saint John :” and

A Bill, intituled “ An Act relating to the Registry of Decrees of Partition made in the Court of Chancery.”

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time on Monday next.

A Message was brought from the Assembly by Mr. Porter, with a Bill to incorporate the Orthodox Congregational Church at Mill Town, in the Parish of Saint Stephen ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time on Monday next.

A Message was brought from the Assembly by Mr. Gordon, with a Bill to amend an Act relating to the Churches erected or to be erected in this Province, in connexion with the Established Church of Scotland ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time on Monday next.

A Message was brought from the Assembly by Mr. Taylor, that the Assembly had agreed to the amendments sent down from this House to the Bill to authorize the Governor and Trustees of the Madras School in New Brunswick to sell and dispose of certain Lands in the City of Fredericton.

The Honorable Mr. Odell, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address relating to the Constitution of the Legislative Council of this Province, reported that they had attended to that duty, and that His Excellency was pleased to say, that he would take steps for furnishing the Legislative Council with such information as he could properly supply.

The Honorable Mr. Hazen, by leave, presented a Petition from John Howe, Esquire, Postmaster General of this Province, praying that his Salary may be restored to its former amount.

ORDERED, That the same be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 10th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Connell.*

*Mr. Robertson,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to incorporate the Orthodox Congregational Church in Mill Town, in the Parish of Saint Stephen :

A Bill to amend an Act relating to Churches erected or to be erected in this Province, in connexion with the Established Church of Scotland :

A Bill, intituled " An Act relating to the appointment of the Gaoler of the Gaol of the City and County of Saint John : " and

A Bill, intituled " An Act relating to the Registry of Decrees of Partition made in the Court of Chancery. "

ORDERED, That the first entered Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the three last entered Bills severally into consideration.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to amend an Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to extend the provisions of an Act, intituled " An Act in addition to an Act, intituled ' An Act to extend the privilege of Solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province, ' " to the Reverend William Thomas Wishart, Spiritual Teacher to the Congregation of Modern Calvinists in the City of Saint John.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A

A Message was brought from the Assembly by Mr. Pickard, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act relating to the competency of Witnesses in certain cases."

A Message was brought from the Assembly by Mr. Porter, with a Bill to repeal the third Section of an Act to grant a Bounty on the destruction of Bears and Wolves in this Province, and to make other provisions in lieu thereof; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to alter and amend an Act, intituled "An Act to incorporate the New Brunswick Society for the encouragement of Agriculture, Home Manufactures and Commerce throughout the Province, and to regulate and provide for the same."

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to amend an Act relating to the repairing of the Streets and Bridges in a part of the Parish of Saint Stephen.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 11th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Botsford,

Mr. Robertson,

Mr. Hatch,

Mr. Solicitor General,

Mr. Minchin,

Mr. Hazen,

Mr. Hill,

Mr. Davidson,

Mr. Odell,

Mr. Connell.

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed :—

A Bill to alter and amend an Act, intituled "An Act to incorporate the New Brunswick Society for the encouragement of Agriculture, Home Manufactures and Commerce throughout the Province, and to regulate and provide for the same :—" and

A

A Bill to amend an Act relating to the repairing of the Streets and Bridges in a part of the Parish of Saint Stephen.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the Bill to repeal the third Section of an Act to grant a Bounty on the destruction of Bears and Wolves in this Province, and to make other provisions in lieu thereof, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill, intituled "An Act relating to the Registry of Decrees of Partition made in the Court of Chancery."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill, intituled "An Act relating to the appointment of the Gaoler of the Gaol of the City and County of Saint John."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to repeal the third Section of an Act made and passed in the fifth year of the Reign of His Majesty King George the Fourth, intituled "An Act for erecting a part of the Parishes of Saint Mary's and Queensbury into a separate or distinct Town or Parish."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

On motion—

The House was put into Committee of the whole to take into further consideration the

the Bill in further amendment of an Act, intituled "An Act for granting Patents for useful Inventions."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows:—

At A in Section II. expunge the words "or during."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to provide for laying down Common Sewers in the City of Saint John.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to suspend the operation of the Militia Laws.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Ritchie, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the European and North American Railway Company.

On motion made and seconded—

ORDERED, That the Honorable Mr. Robertson have leave of absence.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 12th March, 1851.

PRESENT:

THE HON.

*Mr. Shore,
Mr. Hatch,
Mr. Minchin,*

Mr. Black, President.

*Mr. Botsford,
Mr. Solicitor General,
Mr. Hazen,*

Mr.

Mr. Hill,
Mr. Odell,

Mr. Davidson,
Mr. Connell.

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed :—

A Bill, intituled “An Act relating to the appointment of the Gaoler of the Gaol of the City and County of Saint John :” and

A Bill, intituled “An Act relating to the Registry of Decrees of Partition made in the Court of Chancery.”

ORDERED, That the Titles of the said Acts severally be—

An Act relating to the Registry of Decrees of Partition made in the Court of Chancery : and

An Act relating to the appointment of the Gaoler of the Gaol of the City and County of Saint John.

ORDERED, That the Master in Chancery do carry the said Bills down to the Assembly and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill in further amendment of an Act, intituled “An Act for granting Patents for useful Inventions,” as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to alter and amend the fifth Section of an Act, intituled “An Act to consolidate the Laws relating to Buoys and Beacons,” so far as relates to the County of Restigouche.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to continue and amend an Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

The Honorable Mr. Hazen presented to the House a Bill, intituled "An Act to incorporate within this Province the British North American Electric Association."

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Hazen, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House the following Despatches and Extracts :—

ELECTIVE LEGISLATIVE COUNCILS.

Extracts from Despatch, No. 20, of Sir Edmund Head to Earl Grey, dated April 28, 1850.

MY LORD,—I have to request that your Lordship will lay at the Foot of the Throne the enclosed Address from the House of Assembly of this Province, relating to an Elective Legislative Council.

The Address was voted in the House upon a division, but with a large majority in its favor, as will be seen from the enclosure No. 2.

On the abstract expediency of the change, Her Majesty's Government are the best judges. I think myself that such an alteration in the Constitution of this Colony might work beneficially on certain conditions.

I am of opinion that the only sound basis for an Elective Legislative Council would be a good and effectual organization of Municipal Corporations throughout the Colony. Upon such Corporations an Elective Council might be founded with great advantage in every way to the Province. Without these I do not think that anything would be gained, although I know the difficulty of filling up a Legislative Council on the present system.

Another question for Her Majesty's Advisers would be whether such a Council should consist entirely of Elective Members, or should contain a certain number of persons nominated by the Crown. I do not myself consider this so important as the question what the qualification of the Elective Members ought to be, and the time for which they were to be elected. * * *

It occurs to me, from what I have seen of this Colony, that any change of this magnitude should be simultaneous in Canada, Nova Scotia, and New Brunswick.

The proximity of the Provinces is such that perpetual contrasts would be made between the working of one system and the other in two adjoining Colonies. It is desirable, moreover, on every account, that the Institutions of the North American Colonies should be modified on one and the same system, since it is probable that their future relations with each other will be rather more than less intimate.

I need not say that the change proposed is one of a grave constitutional character, and I ought to state also that this is the last Session of the present House of Assembly. Any exposition therefore of the views of Her Majesty's Government which may be communicated in the course of the recess would be discussed by a new House of Representatives, and such exposition would probably be more precise in its character than inferences which the Legislature here can draw from the newspaper reports of debates in Parliament.

The Right Honorable Earl Grey, &c. &c. &c.

(Copy)—No. 74.

Government House, Fredericton, N. B.

MY LORD,—I have to acknowledge your Despatch of November 25, (No. 224,) on the subject of an Elective Legislative Council in this Colony. I think the tenor of that Despatch will be very satisfactory to the Assembly, more especially as it is obviously your Lordship's wish to leave the details of any measure as much as possible to the Colonial Legislature.

There is one point however on which I should be desirous of learning your Lordship's views—a point not indeed affecting the ultimate constitution of such a Council, but the manner of its introduction.

A question may arise whether the introduction of an Elective Council ought to be carried out in such a manner as to displace altogether and at once the Members of that Body who have already sat by Her Most Gracious Majesty's Warrant, or whether the change should be made gradually.

In

In my own opinion it would be more consonant with the spirit of English Institutions so to effect the change as least to interfere with the persons who have taken their Seats, and thus hold a certain position in the Colony by Her Majesty's favor.

The legal number of the Council is twenty one, including the Bishop, who has never taken his Seat. Even after Mr. Odell's and Mr. Brown's appointment there exist two vacancies, and several of the Members are old men. Under such circumstances, my own notion would be that the whole Body might be increased to twenty four or twenty five, and that the places of the additional Members and any places actually vacant should be filled by election immediately on the Act coming into force, whilst succeeding vacancies should be filled as that Act might provide.

In the mean time the existing Members of the Body would retain their Seats for their lives, subject as now to Her Majesty's pleasure. Your Lordship will see that this is a point peculiar to a Colony where one system has to be substituted for another, and it appears to me possible that difficulties may arise hereafter between the Assembly and the existing Council, unless I am favored with your Lordship's views upon it.

I have, &c.

(Signed)

EDMUND HEAD.

Right Honorable Earl Grey, &c. &c. &c.

(Copy)—No. 238.

Downing Street, 6th February, 1851.

SIR,—In answer to your Despatch, No. 74, of the 28th December, in which you enquire whether the introduction of the principle of an Elective Legislative Council into New Brunswick should be effected by displacing altogether and at once the Members of that Body, who hold their appointment by Warrant from the Crown, or whether the change should be made gradually, I have to inform you that I see no objection to the change being, as you propose, effected gradually. Indeed I should regard it as a proper mark of respect for Gentlemen who have devoted much of their time to the Public Service, that their removal from the Council should be avoided; and I should feel glad that the proposed alterations in the Constitution of New Brunswick should be effected in such a manner as not to impair the general feeling of content and satisfaction which ought, as far as possible, to accompany so important a change, by subjecting the present Members of the Council to any slight, even in appearance.

I am, &c.

(Signed)

GREY.

Lieut. Governor Sir E. Head, Bt., &c. &c. &c.

Extracts from the Royal Commission to the Earl of Elgin, dated 1st October, 1847.

And We do by these presents grant, provide, and declare, that there shall be within Our said Province of New Brunswick, two distinct and separate Councils, to be respectively called the Legislative Council of Our said Province of New Brunswick, and the Executive Council of Our said Province of New Brunswick; and We do further direct and declare Our pleasure to be, that all and every the powers and authorities heretofore exercised by the Legislative Council of Our said Province of New Brunswick, shall continue to be exercised by Our said Legislative Council hereby re-established; and that all the powers and authorities heretofore vested in, or exercised by the Executive Council of Our said Province of New Brunswick, shall continue to be exercised by Our said Executive Council of Our said Province, hereby re-established; and We do hereby appoint and declare that the said Executive Council, and the said Legislative Council, respectively, shall consist of such and so many Members as have been or shall hereafter be from time to time for that purpose nominated and appointed by Us under Our Sign Manual or Signet, or as shall be provisionally appointed by you, the said Earl of Elgin and Kincardine, until Our pleasure therein shall be known. Provided nevertheless, and We do hereby declare Our pleasure to be, that the total number of Members for the time being, of Our said Executive Council, resident within Our said Province, shall not at any time, by any such provisional appointments, be raised to a greater number in the whole than nine; and that the total number of the Members of Our said Legislative Council, resident within Our said Province, shall not at any time, by any such provisional appointments, be raised to a greater number in the whole than twenty one. And We do further direct and appoint that five Members of Our said Executive Council shall

shall be a quorum for the dispatch of the business thereof, and that eight Members of Our said Legislative Council shall be a quorum for the dispatch of the business thereof. And We do further direct and appoint that the Members of the said respective Councils shall hold their respective places therein during Our pleasure, and not otherwise, and that the senior Members respectively for the time being of each of the said respective Councils shall preside at all deliberations thereof respectively, save only where you, the said Earl of Elgin and Kincardine, shall be present and presiding at the deliberations of the said Executive Council; the seniority of the Members of the said Councils respectively between themselves being determined by such Rules and Regulations as are for that purpose provided by such Instructions as are hereinafter mentioned.

Extract from the Royal Instructions, dated 25th August, 1848.

And further know you, that We reposing especial trust and confidence in the wisdom, prudence, and ability of Our trusty and well beloved, The Right Reverend Father in God, the Bishop of Fredericton, and William Black, George Shore, Joseph Cunard, John S. Saunders, A. E. Botsford, Edward B. Chandler, John Robertson, Harris Hatch, William B. Kinnear, Thomas Wyer, Hugh Johnston, William F. W. Owen, William Crane, George Minchin, Thomas H. Peters, and Charles Simonds, Esquires, do by these Our Instructions reconstitute, and re-appoint the said Bishop of Fredericton, and William Black, George Shore, Joseph Cunard, John S. Saunders, A. E. Botsford, Edward B. Chandler, John Robertson, Harris Hatch, William B. Kinnear, Thomas Wyer, Hugh Johnston, William F. W. Owen, William Crane, George Minchin, Thomas H. Peters, and Charles Simonds, to be during Our pleasure Legislative Councillors of Our said Province of New Brunswick; and We do especially require and enjoin, that whenever you shall think fit, in the exercise of the authority vested in you by Our said Commission, to appoint persons provisionally as aforesaid, to be Members of Our said Executive and Legislative Councils, you do in every such case forthwith transmit to Us, through one of Our Principal Secretaries of State, the names and the qualifications of the several Members so provisionally appointed by you to be Members of Our said Councils, to the intent that the said appointments may be either confirmed or disallowed as We shall see occasion.

Secondly—You are not to suspend any of the Members of either of Our said Councils without good and sufficient cause, nor without the consent of the majority of the Members of Our said respective Councils, signified in Council after due examination of the charge against such Councillor and his answer thereunto, and in case of the suspension of any of them, you are to cause your reasons for so doing, together with the charges and proofs against such Councillor, and his answer thereunto, to be duly entered upon the Council Books, and forthwith to transmit copies thereof to Us through one of Our Principal Secretaries of State; nevertheless if it should happen that you should have reasons for suspending any Legislative or Executive Councillor not fit to be communicated to the said respective Councils, you may, in that case, suspend such person without their consent, but you are thereupon immediately to send to Us, through one of Our Principal Secretaries of State, an account of your proceedings therein with your reasons at large for such suspension.

Third—And whereas effectual care ought to be taken to oblige the Members of Our said respective Councils to a due attendance therein, in order to prevent the many inconveniences that may happen for want of a quorum of the said respective Councils to transact business, as occasion may require, it is Our will and pleasure, that if any of the Members of Our said respective Councils residing in Our said Province shall hereafter wilfully absent themselves from the said Province, and continue absent above the space of six months together, without leave from you first obtained under your Hand and Seal, or shall remain absent for the space of one year without leave given them under Our Royal Signature, his or their place or places in the said respective Councils shall immediately thereupon become void, and if any of the Members of Our said respective Councils residing in Our said Province, shall wilfully absent themselves hereafter from the said respective Councils, when duly summoned by you, without good and sufficient cause, and shall persist in such absence after being thereof admonished by you, you are to suspend such Councillors so absenting themselves, till Our further pleasure be known therein, giving immediate notice thereof to Us through one of Our Principal Secretaries of State; and We do hereby will and require you that this Our Royal Pleasure be signified to the several Members of Our said respective Councils, and that it be entered in the respective Council Books as a Standing Rule.

Fourth

Fourth—You are to communicate to Our said Councils such and so many of these Our Instructions wherein their advice and consent are mentioned to be requisite, and likewise all such others, from time to time, as you shall find convenient for Our service to be imparted to them.

Fifth—You are to permit the Members of Our said respective Councils to have and enjoy freedom of debate and vote in all affairs of public concern which may be debated in the said respective Councils.

The Honorable Mr. Hazen, also by command of His Excellency, laid before the House—

State of the Central Bank in March 1851 : and

State of the Globe Assurance Company in December 1850.

The Honorable Mr. Davidson, by leave, presented the following Petitions :—

From Thomas O'Kane, praying aid for teaching a School :

From Jonathan Carmault, with a like prayer :

From Reverend James Hudson, praying Return Duty : and

From W. J. Fraser, with a like prayer.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Connell, by leave, presented a Petition from Asa Upton, and twenty others, praying for an Act of Incorporation for the Simonds Agricultural Society.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented a Petition from John Crear, and one hundred and sixteen others, praying for an alteration in Duties on all imported Leather and Leather manufactures.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 13th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Botsford,

Mr. Solicitor General,

Mr. Hill,

Mr. Davidson,

Mr. Odell,

Mr. Saunders,

Mr. Hatch,

Mr. Minchin,

Mr. Hazen,

Mr. Harrison,

Mr. Connell.

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed :—

A Bill to continue and amend an Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John : and

A Bill to alter and amend the fifth Section of an Act, intituled " An Act to consolidate the Laws relating to Buoys and Beacons," so far as relates to the County of Restigouche.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to repeal the third Section of an Act to grant a Bounty on the destruction of Bears and Wolves in this Province, and to make other provisions in lieu thereof.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to establish places for Polling in the Parish of Wickham, in Queen's County.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

At A in Section I. expunge the word "sixth," and insert the word "eleventh."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations beg'leave to report that they have examined "A Bill to incorporate the Orthodox Congregational Church at Mill Town, in the Parish of Saint Stephen," and recommend the same to the adoption of the House without any amendment.

Respectfully submitted.

Committee Room, March 13, 1851.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill and the Report of the Select Committee thereon into consideration.

The Honorable Mr. Hazen, by leave, presented the following Petitions :—

From William O. Smith, and one hundred and eighty two others, praying that an Act for the more efficient prevention of Fires in the City of Saint John may be repealed, and other provisions made in lieu thereof:

From

From James Bradley, praying compensation for pursuing a Robber of Her Majesty's Mails :

From Lawrence O'Regan, praying aid for teaching a School :

From Robert Keltie, and seventy eight others, praying that an Act may pass to authorize the Reverend William Thomas Wishart to Solemnize Marriage :

From John Andrews, praying for a Grant of Land :

From the Justices of the City and County of Saint John, praying that an Act may pass relating to the Alms House and Work House of the City :

From Henry Gilbert, and one hundred and ninety eight others, praying that the Act limiting the height of Wooden Buildings in Saint John may be amended : and

From James S. Knowles, praying remuneration for services performed.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 14th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Connell.*

*Mr. Saunders,
Mr. Hatch,
Mr. Minchin,
Mr. Hazen,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed :—

A Bill to establish places for Polling in the Parish of Wickham, in Queen's County: and

A Bill to repeal the third Section of an Act to grant a Bounty on the destruction of Bears and Wolves in this Province, and to make other provisions in lieu thereof.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the last entered Bill without any amendment, and had agreed to the first entered Bill with an amendment, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Orthodox Congregational Church at Mill Town, in the Parish of Saint Stephen, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 15th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Connell.*

*Mr. Saunders,
Mr. Hatch,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Orthodox Congregational Church at Mill Town, in the Parish of Saint Stephen, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

A Message was brought from the Assembly by Mr. Barberie, with a Bill for shortening the language used in Acts of Assembly in this Province ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time on Monday next.

The House adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and being seated on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honorable the President, to let the Assembly know—" It is His Excellency's pleasure that they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave His assent to the following Bills, intituled—

Public General Acts.

An Act in addition to the Law relating to Inland Posts :

An Act to continue an Act to authorize the commutation of Debts due the Crown by Settlers in certain cases for work on the Public Roads :

An Act to make further provision for the service of Non-Bailable Process :

An Act relating to the competency of Witnesses in certain cases :

Local Acts.

An Act for erecting the Parish of Caraquet, in the County of Gloucester, into two separate Parishes :

An Act to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts :

An Act to continue an Act to empower the owners of certain Saw Mills on Hammond River, in King's County, to erect and keep up a Boom or Booms for the securing of Saw Logs on the said River :

An

An Act to provide for the appointment of Commissioners for the Alms House and Work House for the County of York :

An Act to authorize and empower the Justices of the Peace for the County of York to sell the old Gaol Lot in the City of Fredericton :

An Act for dividing the Parish of Glenelg, in the County of Northumberland, into two separate Parishes :

Private or Personal Acts.

An Act to incorporate the Miramichi and Richibucto Electric Telegraph Company :

An Act to incorporate the Hillsborough Plaister and Rail Road Company :

An Act to incorporate the Woodstock Farmers and Mechanics' Library Society :

An Act to amend and extend the operation of the Act to incorporate the Fredericton and Saint John Electric Telegraph Company :

An Act to authorize and empower the Trustees of certain Glebe Lands in the Parish of Monkton, in the County of Westmorland, to sell the same, and to vest the proceeds in other Lands : and

An Act to incorporate the European and North American Railway Company.

The House of Assembly withdrew, and His Excellency was pleased to retire.

Adjourned until Monday next at 12 o'clock.

MONDAY, 17th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Connell.*

*Mr. Saunders,
Mr. Hatch,
Mr. Minchin,
Mr. Hazen,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the Bill for shortening the language used in Acts of Assembly in this Province, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Hanington, with a Bill to incorporate the Northumberland Straits Fishing Company ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Davidson, by leave, presented a Petition from sundry inhabitants of Kingston, praying that no Act may pass to legalize Orange Societies.

ORDERED, That the same be received and lie on the Table.

On motion made and seconded—

ORDERED, That the Honorable Mr. Hatch have leave of absence.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 18th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Minchin,
Mr. Harrison,
Mr. Odell.*

*Mr. Saunders,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Connell.*

PRAYERS.

The Honorable Mr. Botsford, from the Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations report that they have examined “A Bill to incorporate the Northumberland Straits Fishing Company,” and have prepared an amendment to the same, which they recommend to the adoption of the House.

Respectfully submitted.

Committee Room, March 18, 1851.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill and the Report of the Select Committee thereon into consideration.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 19th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,*

*Mr. Saunders,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Connell.*

PRAYERS.

A Message was brought from the Assembly by Mr. Gilbert, that the Assembly had agreed to the amendment sent down from this House to the Bill to establish places for Polling in the Parish of Wickham, in Queen's County. A

A Message was brought from the Assembly by Mr. Gray, with a Bill to repeat the Act relating to the Trade between the British North American Possessions, and to make other provisions in lieu thereof; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Northumberland Straits Fishing Company, and the Report of the Select Committee thereon.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The amendment was then read by the Clerk, as follows:—

At A at end of Section XII. add the following proviso:—

“ Provided also, that after the election of such four Directors no call shall be made on the shareholders for any instalment on their shares without the assent of three of such last mentioned Directors, at some meeting to be held for that purpose; and that after such election all the bye laws, regulations and other proceedings, (except proceedings at any general meeting of shareholders,) shall require the sanction and assent of at least five out of the nine Directors of the said Company, wherever resident, either at some meeting of the said Directors, or signified by writing under their hands, approving the resolutions of any previous meeting.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations report that they have examined “A Bill to incorporate the Musquash and Digdeguash Brook River Driving Company,” and have prepared an amendment to the same, which they recommend to the favourable consideration of the House.

Respectfully submitted.

Committee Room, March 17, 1851.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill and the Report of the Select Committee thereon into consideration.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 20th March, 1851.

PRESENT :

THE HON. *Mr. Black, President.*

<i>Mr. Saunders,</i>	<i>Mr. Botsford,</i>
<i>Mr. Solicitor General,</i>	<i>Mr. Minchin,</i>
<i>Mr. Harrison,</i>	<i>Mr. Davidson.</i>

PRAYERS.

There not being eight Members present, the House adjourned until to-morrow at 12 o'clock.

FRIDAY, 21st March, 1851.

PRESENT :

THE HON. *Mr. Black, President.*

<i>Mr. Shore,</i>	<i>Mr. Saunders,</i>
<i>Mr. Botsford,</i>	<i>Mr. Chandler,</i>
<i>Mr. Solicitor General,</i>	<i>Mr. Minchin,</i>
<i>Mr. Hill,</i>	<i>Mr. Harrison,</i>
<i>Mr. Davidson,</i>	<i>Mr. Odell,</i>
<i>Mr. Connell.</i>	

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Northumberland Straits Fishing Company, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with an amendment, to which they desire the concurrence of the Assembly.

On motion—

The Bill to repeal the Act relating to the Trade between the British North American Possessions, and to make other provisions in lieu thereof, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to incorporate the Musquash and Digdeguash Brook River Driving Company, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

At A in Section III. expunge the remainder of the Section, and insert as follows :—
 “ Provided any Timber, Saw Logs or other Lumber should pass along the portion
 of

of the said Brooks or Rivers so improved, and the owner or owners thereof shall refuse or neglect to pay the tolls to be fixed by the provisions of this Act, then and in such case the said owner or owners shall be liable to double the amount of such toll."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

A Message was brought from the Assembly by Mr. Needham, with a Bill relating to the Navigation of the River and Harbour of Saint John; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Wilmot, with a Bill imposing Duties for raising a Revenue; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 22d March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Minchin,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Musquash and Digdeguash Brook River Driving Company, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with an amendment, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill relating to the Navigation of the River and Harbour of Saint John : and
A Bill imposing Duties for raising a Revenue.

ORDERED, That the House be put into Committee of the whole on Monday next, to take the said Bills severally into consideration.

The Honorable Mr. Solicitor General presented to the House a Bill, intituled "An Act to amend the Law relating to the administration of Criminal Justice."

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time on Monday next.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations report that they have examined "A Bill to incorporate within this Province the British North American Electric Telegraph Association," and recommend the same to the adoption of the House.

Respectfully submitted.

Committee Room, March 22, 1851.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into Committee of the whole presently, to take the said Bill and the Report of the Select Committee thereon into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time on Monday next.

A Message was brought from the Assembly by Mr. Robinson, with the following Bills, to which they desire the concurrence of this House :—

A Bill to facilitate the construction of the European and North American Railway: and

A Bill to facilitate the construction of a Railway from Saint Andrews to Quebec.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time on Monday next.

The Honorable Mr. Solicitor General, by leave, presented a Petition from William Wright and Thomas Merritt, Trustees of the Corporation Property in Saint John, praying that an Act may pass relating to the management of such property.

ORDERED, That the same be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 24th March, 1851.

PRESENT :

THE HON.

*Mr. Shore,
Mr. Botsford,*

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,*

Mr.

Mr. Hatch,
Mr. Owen,
Mr. Hill,
Mr. Davidson,
Mr. Odell,

Mr. Solicitor General,
Mr. Minchin,
Mr. Harrison,
Mr. Brown,
Mr. Connell.

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill, intituled "An Act to amend the Law relating to the administration of Criminal Justice :"

A Bill to facilitate the construction of the European and North American Railway: and

A Bill to facilitate the construction of a Railway from Saint Andrews to Quebec.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill imposing Duties for raising a Revenue.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

A Message was brought from the Assembly by Mr. Hanington, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Northumberland Straits Fishing Company.

Pursuant to the Order of the Day, the House was called over.

The Honorable Mr. Black,	Present.
Mr. Shore,	do.
Mr. Saunders,	do.
Mr. Botsford,	do.
Mr. Chandler,	do.
Mr. Robertson,	Absent.
Mr. Hatch,	Present.
Mr. Solicitor General,	do.
Mr. Owen,	do.
Mr. Peters,	Absent.
Mr. Minchin,	Present.
Mr. Hazen,	Absent.
Mr. Hill,	Present.
Mr. Harrison,	do.
Mr. Davidson,	do.
Mr. Brown,	do.
Mr. Odell,	do.
Mr. Connell,	do.

On

On motion—

ORDERED, That the House be put into Committee of the whole on Thursday next, to take into consideration the Bill, intituled “An Act for making certain alterations in the Constitution of the Legislative Council of this Province.”

On motion—

The House was put into Committee of the whole to take into consideration the Bill for shortening the language used in Acts of Assembly in this Province.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A in Section III. expunge the whole Section.

At B in Section IV. expunge the whole Section.

At C in Section VII. expunge the whole Section, and alter the numbers of the Sections of the Bill accordingly.

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to suspend the operation of the Militia Laws.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A in the Preamble, insert the words “certain provisions of.”

At B in Section I. expunge the remainder of the Section, and insert the words—“the fifth, sixth, seventh, eighth, ninth, fifteenth, sixteenth, seventeenth, nineteenth and twenty second Sections of an Act made and passed in the sixth year of the Reign of His Majesty King George the Fourth, intituled “An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same,” be and the same are hereby suspended for the period of two years after this Act comes into operation.”

At C in Section II. expunge the words “recited Acts,” and insert the words “the said several suspended Sections of the said recited Act.”

At D expunge the words “by and with the advice and consent of Her Majesty’s Executive Council.”

At

At E expunge the word "they," and insert "he."

At F expunge the words "recited Acts," and insert the words "the said several suspended Sections of the said recited Act."

At G expunge the words "recited Acts," and insert the words "the said several suspended Sections of the said recited Act."

At H in Section IV. expunge the Section, and alter the number of the remaining Section.

At I in the Title, insert the words "certain provisions of."

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

The Honorable Mr. Botsford, by leave, presented the following Petitions:—

From George Bond, and one hundred and seventy four others, praying that certain Mills be exempted from the operation of the Steam Mills Act in the Harbour of Saint John :” and

From Alexander Petrie, and eighteen others, with a contrary prayer.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 25th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Minchin,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act to incorporate within this Province the British North American Electric Telegraph Association," was read a third time and passed.

ORDERED, That the Title be—

An Act to incorporate within this Province the British North American Electric Telegraph Association.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill imposing Duties for raising a Revenue, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill.

Pursuant to the Order of the Day, the Bill for shortening the language used in Acts of Assembly in this Province, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to facilitate the construction of the European and North American Railway.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to facilitate the construction of a Railway from Saint Andrews to Quebec.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

A Message was brought from the Assembly by Mr. Scoullar, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act relating to the appointment of the Gaoler of the Gaol of the City and County of Saint John."

A Message was brought from the Assembly by Mr. Gray, that the Assembly had agreed to the amendments sent down from this House to the Bill in further amendment of an Act, intituled "An Act for granting Patents for useful Inventions."

A Message was brought from the Assembly by Mr. Johnson, with a Bill to reduce the Fees of Registers of Deeds and other Officers, for services and proceedings under the Act to consolidate and amend the Laws relating to the Registry of Deeds and other Instruments, and in further amendment of the said Act; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 26th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Minchin,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed :—

A Bill to facilitate the construction of the European and North American Railway:

A Bill to facilitate the construction of a Railway from Saint Andrews to Quebec: and

A Bill to establish the Road leading from Lower Trout Brook Bridge, on the Great Road from Saint Andrews to Fredericton, to the Town of Magaguadavic, as one of the Great Roads of Communication.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

On motion—

The Bill to suspend the operation of the Militia Laws, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to reduce the Fees of Registers of Deeds and other Officers, for services and proceedings under the Act to consolidate and amend the Laws relating to the Registry of Deeds and other Instruments, and in further amendment of the said Act, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to amend an Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On

On motion—

The House was put into Committee of the whole to take into consideration the Bill to exclude certain Officers from being Members of the House of Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed until the next Session of the General Assembly.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed until the next Session of the General Assembly.

A Message was brought from the Assembly by Mr. Thomson, that the Assembly had agreed to the amendment sent down from this House to the Bill to incorporate the Musquash and Digdeguash Brook River Driving Company.

A Message was brought from the Assembly by Mr. Porter, with the following Resolution :—

“ House of Assembly, 25th March, 1851.

“ Whereas this House has too much reason to apprehend that at the present Session of the Imperial Parliament, it will be proposed by the Chancellor of the Exchequer to make a further reduction in the Duties imposed on Foreign Timber and Deals : And whereas such proposed reduction, if adopted, cannot fail most seriously to affect the Trade of the British North American Colonies with the United Kingdom, inasmuch as the existing rates of Duties are only equal to the difference of Freight between the British Provinces and Great Britain, when compared to the Freights between the latter and the Baltic, by reason of the increased distance ; therefore

“ *Resolved*, unanimously, That an humble Address be presented to Her Majesty and the Imperial Parliament on this highly important subject ; and further

“ *Resolved*, That the Honorable the Legislative Council be requested to join the House in such Address.

CHAS. P. WETMORE, *Clerk.*”

On motion made and seconded—

RESOLVED, That this House do agree to join the House of Assembly in the proposed Joint Address to Her Majesty and the Imperial Parliament, relative to an apprehended reduction of the Imperial Duties on Foreign Timber and Deals.

ORDERED, That the Master in Chancery do go down to the Assembly and communicate this Resolution.

A Message was brought from the Assembly by Mr. Hatheway, with a Bill to authorize the issue of Treasury Debentures to raise money for the purpose of being loaned for re-building a part of the City of Fredericton destroyed by Fire in the month of November 1850 ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On

On motion—

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the Resolutions of Appropriation dated the twenty fourth and twenty sixth days of February last, respectively, had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Connell, by leave, presented the following Petitions :—

From the Mayor, Aldermen and Commonalty of the City of Saint John, that the Acts for the more effectually securing the Navigation of the River and Harbour of Saint John, and for the preventing quantities of Slabs and Saw Dust being thrown into said Harbour from the Saw Mills, may not be repealed :

From Northumberland Division, No. 37, of the Order of the Sons of Temperance, praying a grant of money :

From Henry Jones, and forty six others, praying for Annual Elections, Registry of Voters, and Vote by Ballot : and

From Charles Perley and others, with a like prayer.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Robertson, by leave, presented a Petition from Alexander Petrie and others, praying that a Committee of this House may be appointed to examine into evidence and report upon the Bill relating to the Navigation of the River and Harbour of Saint John.

ORDERED, That the same be received and lie on the Table.

On motion made and seconded—

ORDERED, That the Honorable Messieurs Botsford, Chandler, Hatch, Davidson, and Brown, be a Committee to examine and report upon the said last mentioned Petition.

Adjourned until To-morrow at 11 o'clock.

THURSDAY, 27th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

A*

PRAYERS.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the issue of Treasury Debentures to raise money for the purpose of being loaned for rebuilding a part of the City of Fredericton destroyed by Fire in the month of November 1850, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill, intituled "An Act for making certain alterations in the Constitution of the Legislative Council of this Province."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 11 o'clock.

FRIDAY, 28th March, 1851.

PRESENT :

THE HON.	<i>Mr. Black, President.</i>	
	<i>Mr. Shore,</i>	<i>Mr. Saunders,</i>
	<i>Mr. Botsford,</i>	<i>Mr. Chandler,</i>
	<i>Mr. Robertson,</i>	<i>Mr. Hatch,</i>
	<i>Mr. Solicitor General,</i>	<i>Mr. Minchin,</i>
	<i>Mr. Hazen,</i>	<i>Mr. Hill,</i>
	<i>Mr. Harrison,</i>	<i>Mr. Davidson,</i>
	<i>Mr. Brown,</i>	<i>Mr. Odell,</i>
	<i>Mr. Connell.</i>	

PRAYERS.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to repeal the Act relating to the Trade between the British North American Possessions, and to make other provisions in lieu thereof.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Hazen presented to the House a Bill, intituled "An Act relating to Grand Juries in this Province."

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Montgomery with the following Resolution :—

“ House of Assembly, 27th March, 1851.

“ Ordered, That the Honorable Mr. Partelow, Mr. Gray, Mr. Montgomery, and Mr. Taylor, be a Committee on the part of this House to join such Committee as may be appointed by the Honorable the Legislative Council to prepare a Joint Address to Her Majesty and the Imperial Parliament, relative to an apprehended reduction in the Imperial Duties on Foreign Timber and Deals.

CHAS. P. WETMORE, *Clerk.*”

RESOLVED, That the Honorable Messieurs Botsford and Robertson be the Committee on the part of this House to join the Committee of the Assembly in preparing the Joint Address to Her Most Gracious Majesty and the Imperial Parliament, relative to an apprehended reduction of the Imperial Duties on Foreign Timber and Deals.

ORDERED, That the Master in Chancery do go down to the Assembly and communicate this Resolution.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to reduce the Fees of Registers of Deeds and other Officers, for services and proceedings under the Act to consolidate and amend the Laws relating to the Registry of Deeds and other Instruments, and in further amendment of said Act.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to establish the Road leading from the Baptist Meeting House in the Parish of Upham, in King's County, to the Church in Sussex Vale, as one of the Great Roads of Communication.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty fourth and twenty sixth days of February last, and recommended that the House should concur in the same, with the exception of the following Grants:—

To the Clerk of the House of Assembly the sum of one hundred pounds for extra services, and the further sum of one hundred pounds for services to be performed during the recess, in preparing an Index to the Journals of the present Session: and

To the Clerk Assistant of the House of Assembly the sum of fifty pounds for extra services during the present Session.

The Chairman further reported, that he was directed to ask leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the twenty fourth and twenty sixth days of February last, were concurred in by the House, with the above exceptions.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Resolutions of Appropriation, with the above exceptions.

A Message was brought from the Assembly by Mr. Hatheway, with a Bill relating to the City of Fredericton; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Hatheway, that the Assembly had agreed to the amendments sent down from this House to the Bill for shortening the language used in Acts of Assembly in this Province.

The House adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and being seated on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honorable the President, to let the Assembly know—"It is His Excellency's pleasure that they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave His assent to the following Bills, intituled—

Public General Acts.

An Act imposing Duties for raising a Revenue:

An Act to establish places for Polling in the Parish of Wickham, in Queen's County:

An Act to repeal the third Section of "An Act to grant a Bounty on the destruction of Bears and Wolves in this Province," and to make other provisions in lieu thereof:

An

An Act to alter and amend an Act, intituled "An Act to incorporate the New Brunswick Society for the encouragement of Agriculture, Home Manufactures and Commerce throughout the Province, and to regulate and provide for the same :"

An Act to facilitate the construction of the European and North American Railway, (*with a suspending clause*) :

An Act to facilitate the construction of a Railway from Saint Andrews to Quebec, (*with a suspending clause*) :

Local Acts.

An Act to continue and amend an Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John :

An Act to amend an Act relating to the repairing of the Streets and Bridges in a part of the Parish of Saint Stephen :

An Act to alter and amend the fifth Section of an Act, intituled "An Act to consolidate the Laws relating to Buoys and Beacons," so far as relates to the County of Restigouche.

Private or Personal Acts.

An Act to incorporate the Saint Stephen Rail Road Company :

An Act to incorporate the Arestook Falls Canal and Mill Company :

An Act to incorporate the Orthodox Congregational Church at Mill Town, in the Parish of Saint Stephen : and

An Act to authorize the Governor and Trustees of the Madras School in New Brunswick to sell and dispose of certain Lands in the City of Fredericton, and for other purposes.

The House of Assembly withdrew, and His Excellency was pleased to retire.

A Message was brought from the Assembly by Mr. Johnson, with Resolutions of Appropriation dated the twenty fifth day of March instant ; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation.

The Honorable Mr. Hazen, by leave, presented a Petition from William G. Lawton and others, praying that an Act may pass to authorize Grand Jurors to nominate their Foreman.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Solicitor General, by leave, presented a Petition from William End, Esquire, praying for a modification of the Acts incorporating the City of Fredericton.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented the following Petitions :—

From William M'Leod, and sixty nine others, praying certain matters in reference to the Elective Legislative Council Bill : and

From J. W. Weldon and others, praying for an Act of Incorporation of an Electric Telegraph Company from Richibucto to the Bend of Petitcodiac.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 29th March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,*

*Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Davidson,
Mr. Connell.*

PRAYERS.

The Honorable Mr. Saunders, by leave, presented a Petition from Charles Simonds, Junior, and S. B. Cooper, praying that no Grant may pass to Sarah Good for teaching a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Brown, by leave, presented a Petition from Elizabeth Thompson, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

Adjourned until Monday next at 11 o'clock.

MONDAY, 31st March, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Owen,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

On motion—

The Bill to establish the Road leading from the Baptist Meeting House in the Parish of Upham, in King's County, to the Church in Sussex Vale, as one of the Great Roads of Communication, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

On motion—

The Bill, intituled "An Act relating to Grand Juries in this Province," was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

On

On motion—

The House was put into Committee of the whole to take into consideration the Bill to authorize the issue of Treasury Debentures to raise money for the purpose of being loaned for rebuilding a part of the City of Fredericton destroyed by Fire in the month of November 1850.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the twenty fifth day of March instant, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Gilbert, with Resolutions of Appropriation dated the twenty eighth day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Wilmot, with a Bill to secure to Married Women real and personal property held in their own right; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Johnson, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act relating to the Registry of Decrees of Partition made in the Court of Chancery."

The Honorable Mr. Botsford, by leave, presented the following Petitions :—

From Thomas Philps, praying for Return Duties : and

From James S. Morse, Deputy Postmaster, praying compensation for reasons set forth.

ORDERED, That the same be received and lie on the Table.

- Adjourned until To-morrow at 11 o'clock.

TUESDAY, 1st April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Owen,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Solicitor General,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to secure to Married Women real and personal property held in their own right, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill, intituled "An Act relating to Grand Juries in this Province."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration the Bill, intituled "An Act to amend the Law relative to the administration of Criminal Justice."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time to-morrow.

A Message was brought from the Assembly by Mr. Gilbert, with Resolutions of Appropriation dated the thirty first day of March last ; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly. The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated respectively the twenty fifth and thirty first days of March last, and recommended the same to the concurrence of the House.

The Chairman further reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the twenty eighth day of March last, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the twenty fifth and thirty first days of March last, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the above Resolutions of Appropriation, dated the twenty fifth and thirty first days of March last.

A Message was brought from the Assembly by the Honorable Mr. Attorney General, with a Bill to provide for the establishment of Municipal authorities in this Province; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Steves, with a Bill to consolidate and amend the Laws providing for the maintenance of Light Houses in the Bay of Fundy; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Steves, that the Assembly had agreed to the amendments sent down from this House to the Bill to suspend the operation of the Militia Laws.

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Chandler, a Member of Her Majesty's Executive Council.

The Honorable the President read the same; and it was again read by the Clerk, as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,

31st March, 1851.

EDMUND HEAD.

The Lieutenant Governor lays before the Legislative Council a copy of a Despatch, with its enclosures, which he received on the twenty ninth instant from Her Majesty's Secretary of State.

His Excellency is desirous that these papers should receive the earnest and immediate consideration of the Council, as he feels satisfied that no communication involving consequences more important to the Province can be submitted to its Legislature.

C*

E. H.

RAILWAY FROM HALIFAX TO QUEBEC.

(Copy)—No. 248.

Downing Street, 14th March, 1851.

SIR,—Referring to the Despatches noted in the margin on the subject of the proposed Rail Road between Halifax and Quebec, I have now the honor to transmit to you the copy of a Despatch and of its enclosures, which I have addressed this day to the Governor General of British North America.

In the letter which has been written by my direction to Mr. Howe, you will find the views entertained by Her Majesty's Government, as to the mode by which it is hoped that Funds may be raised for accomplishing the proposed undertaking, so fully explained, that I am relieved from the necessity of making any further statement on this occasion; I have therefore only to refer you to my Despatch to Lord Elgin and the letter to Mr. Howe as containing all the information with which I can furnish you at present on this important subject, and to direct you to place yourself without delay in communication with the Governor General of Canada.

I am, &c.

(Signed)

GREY.

Lient. Governor Sir Edmund Head, Bt., New Brunswick.

(Copy)—No. 569.

Downing Street, 14th March, 1851.

Governor the Right Hon. the Earl of Elgin and Kincardine, &c. &c. &c.

MY LORD,—From the correspondence which I have already had with your Lordship on the subject of the projected Rail Road from Halifax to Quebec, you are well aware that although Her Majesty's Government have not hitherto been enabled to take any steps towards the execution of that work, it is an undertaking which they have long earnestly desired to see accomplished, as they believe it to be one calculated very greatly to advance the commercial and political interests, both of the British Provinces in North America and of the Mother Country. It is therefore with great satisfaction that I have now to acquaint your Lordship that I have reason to hope that the time is at length come when this great National enterprise may be undertaken with advantage, if there still exists, (as I am assured there does,) as strong a desire to promote it on the part of the inhabitants of Canada and New Brunswick as they formerly expressed, and as the people of Nova Scotia have again recently manifested.

2. I enclose for your Lordship's information, a copy of a Despatch addressed to me in the course of last Autumn, by Sir John Harvey, introducing to me Mr. Howe, a Member of the Government of Nova Scotia, and also copies of two Letters I have received from that Gentleman, and of the answer which has by my direction been returned to him. Your Lordship will perceive from these papers that the proposal made by Mr. Howe, on behalf of the Province of Nova Scotia, and to which Her Majesty's Government have thought it their duty so far to accede as to undertake, on certain conditions, to recommend it for the sanction of Parliament, is to the effect that the credit of this country should be employed to enable the Provinces of Canada, New Brunswick and Nova Scotia to raise, upon advantageous terms, the funds necessary for the construction of the proposed Railway, just as Canada has been enabled by similar assistance to construct the Canals, by which she has lately completed the most extensive and perfect system of inland navigation which exists in the world. Although Her Majesty's Government are of opinion, that great caution ought to be observed in pledging the credit of the British Treasury in aid of loans raised by the Colonies, they regard the work now in contemplation as being, (like the Saint Lawrence Canals,) of so much importance to the whole Empire, as to justify them in recommending to Parliament that some assistance should be given towards its construction, nor is there any mode of affording such assistance, which has been suggested, which appears on the whole so little burdensome to the Mother Country, and at the same time of so much real service to the Colonies, as that which is now proposed.

3. In coming to the decision that Parliament should be invited to give this support to the projected Railway, Her Majesty's Government have not failed to bear in mind, that by enabling the North American Provinces to open this great line of communication, it may fairly be assumed that a powerful stimulus will be given to their advance in wealth and population, and that the consequent increase in their resources will render it possible for them to relieve the Mother Country sooner and more completely than would otherwise be practicable from charges now borne by it on account of these Colonies.

In

In another Despatch of this date, I have informed your Lordship that, in the judgment of Her Majesty's Government, the British Colonies ought to be required, as they become capable of doing so, to take upon themselves, not only the expenses of their Civil Government, but a portion, at all events, of those incurred for their protection; and I have pointed out to you, that the British North American Provinces, and especially Canada, have now reached such a stage in their progress, that the charges for which Parliament is called upon to provide on their account, ought to be rapidly diminished. The construction of the proposed Railway would greatly contribute to promote this important object. By opening new districts for settlement, and by the demand for labour which will be created during the progress of the work, the projected Railway cannot fail to increase the wealth and population of these Provinces, while by affording a rapid and easy communication between them, it will enable them to afford to each other far greater mutual support and assistance than they now can, in any difficulty or danger to which they may be exposed.

4. Your Lordship will not fail to observe from the Letter which has been addressed to Mr. Howe, that the assistance which it is proposed to grant to the Provinces towards the construction of the proposed Railway, is to be contingent on provision being made for opening a complete line of communication from Halifax to Quebec or Montreal; it is necessary, therefore, to ascertain whether Canada and New Brunswick are ready to join with Nova Scotia in raising the capital required for the work in the manner proposed, and if so, in what proportion each Province is to become responsible for the expense incurred. The question whether it will be advisable for these two Provinces to join in the construction of the projected Railway, if they should be enabled by the assistance of Parliament to raise the required capital at a low rate of interest, is one for the consideration of their respective Legislatures, but so far as I have the means of forming a judgment upon the subject, I should anticipate that their decision would be in favour of their doing so. I infer that this is probable, not less from what I have learnt of the actual state of public opinion on this subject in the Provinces, than from the view which I take of their interest in the work. Though I can well believe that there would be much room for doubting whether the Railway would pay as a mercantile speculation to a Company, looking to traffic only for its remuneration, the case is very different when it is regarded as a public undertaking. When viewed in this light, the various indirect advantages which cannot fail to arise to the Provinces, from possessing such improved means of communication, must be considered, as well as the very great additional value which would be conferred on a vast extent of public lands, which are now comparatively worthless. This is a source of profit from which no advantage can in general accrue to the constructors of Railways in countries where the soil has long been appropriated by individuals; on the contrary, in these countries the purchase of land is not one of the least important items of the expense to be incurred in such undertakings; but where, as in parts of Canada and New Brunswick, a great part of the Territory to be traversed by a Railway is still unappropriated, and the land may be sold by the public, the increased value given to it by being thus rendered accessible, may render it advantageous to construct a Railway, though the traffic is not expected to do more at first than pay the working expenses.

5. If these considerations should induce the Legislatures of the three Provinces to combine in undertaking the projected Railway, the terms on which they are to co-operate with each other for that object will have to be settled, and in coming to such an arrangement, various questions of great difficulty and importance will require to be considered. For instance, it is probable that when the line is completed, the traffic will be far more remunerative at the two extremities than in the more central portion of it, while at the same time the expense of construction would, from the nature of the country, be precisely higher where the traffic returns would be the lowest; so that if each Province were required to pay for the formation of the line through its own Territory, and to receive the returns from the traffic through the same, it would follow, that while the expense to New Brunswick would be the greatest, its receipts would be the smallest. On the other hand, as I have just observed, one of the most important sources of profit from the construction of such a Railway as that now in contemplation, would arise from the sale of land, of which the value would be increased by the work, and it appears from the papers before me, that New Brunswick would probably derive a greater profit from that source than the two Sister Provinces. Whether the result upon the whole would be that each Province, considering these various circumstances, ought to take upon itself the construction of the Railway through its own Territory, or whether on the contrary, any one should be assisted by the others,

is a point on which I have not the means of forming a judgment, and I would suggest to you that the best course, with a view of arriving at some practical result, would be, that a deputation from the Executive Councils of the two lower Provinces should proceed to the Seat of Government in Canada, in order to confer with your Lordship and with your Council, for the purpose of coming to some agreement upon the subject, which, after being approved by the Legislatures of the several Provinces, might be submitted for the sanction of Parliament.

6. It does not appear to me that if such a conference should be held, it need occupy any very great length of time, or that much difficulty would arise in coming to an arrangement for the construction and working of the projected Railway, by which the expense of the undertaking on the one hand, and the advantages to be derived from it on the other, might be fairly apportioned between the different Provinces. Hereafter I may probably be enabled to offer some suggestions as to the manner in which this might be accomplished, but at present I have only to add, that I shall transmit copies of this Despatch to Sir Edmund Head and to Sir John Harvey, with instructions to them to communicate with your Lordship without delay on the important subject to which it relates, and it will give me the highest satisfaction if the result of these communications should be the undertaking of a work, which, if completed, cannot I believe fail to add greatly to the prosperity of the British Provinces in North America, and at the same time, to give additional strength to the ties which connect them with each other and with the British Empire.

I am, &c.

(Signed)

GREY.

[Mr. Hawes to Mr. Howe.]

(Copy)

Downing Street, 10th March, 1851.

SIR,—I am directed by Earl Grey to inform you that he is at length enabled to communicate to you the decision of Her Majesty's Government on the application for assistance towards the construction of the projected Railway through Nova Scotia, contained in your letters of the 25th November and 16th of January last.

You are already aware, from the repeated conversations which you have had with Lord Grey, of the strong sense entertained by his Lordship and his colleagues of the extreme importance, not only to the Colonies directly interested, but to the Empire at large, of providing for the construction of a Railway, by which a line of communication may be established on British Territory between the Province of Nova Scotia, New Brunswick and Canada, and that various plans, which have been suggested for the accomplishment of this object, have undergone the most attentive consideration.

It appears from Sir John Harvey's Despatch of August 29th, 1850, as well as from your letters and the verbal communications you have made to Lord Grey, that the Provincial Government of Nova Scotia, fully relying on the concurrence of the Legislature, is desirous of undertaking the construction of that part of the projected line which would pass through that Province, and proposes to obtain for that purpose a loan of £800,000, which is the estimated expense of the work. The assistance which Lord Grey understands you to apply for on behalf of the Province is, that the payment of the interest of a loan to this amount should be guaranteed by the Imperial Parliament, the effect of which would be, that the money might be raised on terms much more favourable than would be otherwise required by the lenders.

I am directed to inform you that Her Majesty's Government are prepared to recommend to Parliament that this guarantee should be granted, or that the money required should be advanced from the British Treasury, on conditions which I will now proceed to state.

In the first place, as Her Majesty's Government are of opinion that they would not be justified in asking Parliament to allow the credit of this country to be pledged for any object not of great importance to the British Empire as a whole, (and they do not consider that the projected Railway would answer this description unless it should establish a line of communication between the three British Provinces), it must be distinctly understood that the work is not to be commenced, nor is any part of the loan, for the interest on which the British Treasury is to be responsible, to be raised, until arrangements are made with the Provinces of Canada and New Brunswick, by which the construction of a Line of Railway passing wholly through British Territory from Halifax to Quebec or Montreal, shall be provided for to the satisfaction of Her Majesty's Government.

In

In order that such arrangements may be made, Her Majesty's Government will undertake to recommend to Parliament that the like assistance shall be rendered to these Provinces as to Nova Scotia, in obtaining loans for the construction of their respective portions of the work. If it should appear, that by leaving it to each Province to make that part of the Line passing through its own territory, the proportion of the whole cost of the work which would fall upon any one Province would exceed its proportion of the advantage to be gained by it, then the question is to remain open for future consideration, whether some contribution should not be made by the other Provinces towards that part of the Line; but it is to be clearly understood that the whole cost of the Line is to be provided for by loans raised by the Provinces in such proportions as may be agreed upon, with the guarantee of the Imperial Parliament.

The manner in which the profits to be derived from the Railway, when completed, are to be divided between the Provinces, will also remain for future consideration.

You will observe that I have stated that the Line is to pass entirely through British Territory; but Her Majesty's Government do not require that the Line shall necessarily be that recommended by Major Robinson and Captain Henderson.

If the opinion which is entertained by many persons well qualified to form a judgment, is correct, that a shorter and better Line may be found through New Brunswick, it will of course be preferred, and there will be sufficient time for determining this question while the earlier part of the Line is in progress. It is also to be understood that Her Majesty's Government will by no means object to its forming part of the plan which may be determined upon, that it should include a provision for establishing a communication between the projected Railway and the Railways of the United States. Any deviation from the line recommended by Major Robinson and Captain Henderson must, however, be subject to the approval of Her Majesty's Government.

It will further be required that the several Provincial Legislatures should pass laws, making the loans which they are to raise a first charge upon the Provincial Revenue, after any existing debts and payments on account of the Civil Lists settled on Her Majesty by laws now in force, and also that permanent taxes shall be imposed (or taxes to continue in force till the debt shall be extinguished) sufficient to provide for the payment of the interest and sinking fund of the loans proposed to be raised, after discharging the above prior claims. It will further be necessary that the expenditure of the money raised under the guarantee of the Imperial Parliament shall take place under the superintendence of Commissioners appointed by Her Majesty's Government, and armed with sufficient power to secure the due application of the funds so raised to their intended object. The Commissioners so appointed are not, however, to interfere with the arrangements of the Provincial Governments, except for the above purpose.

The right of sending troops, stores and mails along the Line, at reasonable rates, must likewise be secured.

If on the part of the Government of Nova Scotia you should express your concurrence in the above proposal, Lord Grey will immediately direct the Governor General of the British North American Provinces to communicate with the Lieutenant Governors of New Brunswick and Nova Scotia, who will also be directed to bring the subject under the consideration of their respective Executive Councils, in order that if they should be prepared to join in carrying the undertaking into effect on the terms proposed, the details of the arrangement between the Provinces may be settled, and the sanction of the Legislatures obtained for the plan, so that it may, with as little delay as possible, be submitted for the approval of Parliament.

Before, however, the proposed measure can be so submitted to Parliament, it is proper to observe, that there are some other questions affecting the pecuniary relations between the Mother Country and the Colonies which will require to be considered, but as these questions have little, if any, reference to Nova Scotia, it is not necessary that they should be further adverted to in this letter.

I am directed to add that Lord Grey thinks it unnecessary that any measure should be taken by Her Majesty's Government to encourage the establishment of Steam Vessels for the accommodation of Emigrants of the humbler class, which is one of the subjects to which you have called his attention. If there should be a demand for such Vessels Lord Grey has no doubt that they will speedily be supplied by private enterprise; indeed he has been informed that Ships of large size, intended for the

conveyance of Emigrants, and furnished with auxiliary steam power, are already building, both in this country and in America; and if, by undertaking the projected Railway, a demand for labour is created in the British Provinces, and a large extent of fertile land is opened for the occupation of Settlers, these circumstances cannot fail to lead to an extension and improvement of the means now afforded for the conveyance of Emigrants to these Provinces.

Lastly, with reference to the suggestion contained in your letter that convicts might be employed in the construction of the Railway, I am to inform you, that though Her Majesty's Government entertained no doubt that the expense of the work to the Provinces might thus be greatly reduced, while at the same time by judicious regulations all risk of serious inconvenience might be guarded against, they would not be disposed to take any steps with a view to the adoption of this suggestion, unless on a distinct application from the Colonial Legislatures; but if such an application should be made, Her Majesty's Government would be prepared to make the necessary arrangements for the employment of a moderate number of convicts on the work, without any charge for their custody and subsistence to the Province which may have applied for them.

I am, &c.

(Signed)

B. HAWES.

Adjourned until To-morrow at 11 o'clock.

WEDNESDAY, 2d April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. O'Connell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed :—

A Bill, intituled "An Act to amend the Law relative to the administration of Criminal Justice :—" and

A Bill, intituled "An Act relating to Grand Juries in this Province."

ORDERED, That the Titles of the said Acts severally be—

An Act to amend the Law relative to the administration of Criminal Justice : and
An Act relating to Grand Juries in this Province.

ORDERED, That the Master in Chancery do carry the said Bills down to the Assembly and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill to authorize the issue of Treasury Debentures to raise money for the purpose of being loaned for rebuilding a part of the City of Fredericton destroyed by Fire in the month of November 1850, was read a third time and passed.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the Bill to consolidate and amend the Laws providing for the maintenance of Light Houses in the Bay of Fundy, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill, intituled "An Act for making certain alterations in the Constitution of the Legislative Council of this Province."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed until the next Session of the Legislature.

The Chairman further reported, that on the question, whether the further consideration of the said Bill be postponed until the next Session of the Legislature, the Committee divided—

CONTENT.

The Hon. Mr. President,
Mr. Shore,
Mr. Saunders,
Mr. Robertson,
Mr. Hatch,
Mr. Owen,
Mr. Minchin,
Mr. Harrison,
Mr. Davidson,
Mr. Odell.

NON-CONTENT.

The Hon. Mr. Botsford,
Mr. Chandler,
Mr. Solicitor General,
Mr. Hazen,
Mr. Hill,
Mr. Brown,
Mr. Connell.

Whereupon it passed in the affirmative.

ORDERED, That the Report be received; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed until the next Session of the Legislature.

The Honorable Mr. Robertson, by leave, presented a Petition from Henry Chubb, and two hundred and sixty others, praying that no Act may pass to alter the system of Inter-Colonial Intercourse, so far as relates to Flour.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 11 o'clock.

THURSDAY, 3d April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to consolidate and amend the Laws providing for the maintenance of Light Houses in the Bay of Fundy.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to provide for laying down Common Sewers in the City of Saint John.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to secure to Married Women real or personal property held by them in their own right.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to extend the provisions of an Act, intituled "An Act in addition to an Act, intituled 'An Act to extend the privilege of Solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province,'" to the Reverend William Thomas Wishart, Spiritual Teacher to the Congregation of Modern Calvinists in the City of Saint John.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows :—

At A expunge the whole of the Section, and insert as follows :—

“ Whereas doubts have arisen whether the Act passed in the fourth year of the Reign of His late Majesty William the Fourth, intituled ‘ An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province, ’ extends to other than those Religious Congregations in existence at the time of the passing of the said Act ;

“ I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the provisions of the above mentioned hereinbefore in part recited Act, be and the same are hereby extended to all Religious Congregations that may have existed or may hereafter exist within this Province, and their Ministers or Teachers.

“ II. And be it enacted, That every Marriage to be solemnized under and by virtue of this Act, shall be subject to all the provisions, and every person concerned therein shall be subject to all the pains and penalties prescribed in and by the above mentioned hereinbefore in part recited Act, to which this Act is an amendment.

“ III. And be it enacted, That this Act shall not come into operation until Her Majesty’s Royal approbation be thereunto first had and declared.”

At B in the Title, expunge all the remainder of the Title, and insert the following words—“ privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province.”

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

ORDERED, That the Order to refer to the Select Committee appointed to examine and report upon all Bills relating to Corporations, the Bill to provide for the establishment of Municipal Authorities in this Province, be rescinded, and that the House be put into Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

ORDERED, That the House be put into Committee of the whole on this day three months to take into consideration the Bill relating to the City of Fredericton.

The Honorable Mr. Botsford presented to the House a Bill, intituled "An Act to incorporate the Trustees of the Provident Institution."

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

Adjourned until To-morrow at 11 o'clock.

FRIDAY, 4th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Owen,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to extend the provisions of an Act, intituled "An Act in addition to an Act, intituled 'An Act to extend the privilege of Solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province,' " to the Reverend William Thomas Wishart, Spiritual Teacher to the Congregation of Modern Calvinists in the City of Saint John, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to amend an Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province, so far as relates to the County of Victoria.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months. On

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to provide for the establishment of Municipal Authorities in this Province.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

The Chairman further reported, that on the question, whether the further consideration of the said Bill be postponed until the next Session of the Legislature, the Committee divided as follows:—

CONTENT.

The Hon. Mr. Hatch,
Mr. Minchin,
Mr. Harrison,
Mr. Odell.

NON-CONTENT.

The Hon. Mr. President,
Mr. Shore,
Mr. Saunders,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hazen,
Mr. Hill,
Mr. Davidson,
Mr. Brown,
Mr. Connell.

Whereupon it passed in the negative.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

The Honorable Mr. Hazen presented to the House a Bill, intituled "An Act to incorporate the Joint Committee of the Library of the Legislature of New Brunswick."

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon the Petition of Alexander Petrie and others, praying that a Committee of this House may examine into evidence, and report upon the Bills relating to the Navigation of the River and Harbour of Saint John, presented the following Report :

The Committee appointed to report upon the Petition of Alexander Petrie and others, in reference to "The Bill relating to the Navigation of the River and Harbour of Saint John," beg leave to report, that they have carefully considered the provisions of the said Bill, as also the statements set forth in the above mentioned Petition of Alexander Petrie and others, and the Petition of the Mayor, Aldermen and Commonalty of the City of Saint John, and have examined a number of Witnesses intimately acquainted with the Harbour; that after a full and deliberate investigation of the whole

whole subject, the Committee are of opinion that the Bill should pass, and consequently recommend the same to the favourable consideration of the House.

A. E. BOTSFORD,
E. B. CHANDLER,
H. HATCH,
JAS. DAVIDSON,
J. BROWN.

Committee Room, 4th April, 1851.

ORDERED, That the Report be received, and that the House be put into Committee of the whole to-morrow, to take the said Bill, and the Report thereon, into consideration.

A Message was brought from the Assembly by Mr. Thomson, with Resolutions of Appropriation dated the first day of April instant; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation.

The Honorable Mr. Botsford, from the Select Committee appointed to join the Committee of the Assembly to prepare an Address to Her Most Gracious Majesty and the Imperial Parliament, on the subject of an apprehended reduction of the Imperial Duties on Foreign Timber and Deals, reported that they had attended to that duty; and he presented the Addresses to the House.

The said Addresses were then severally read, and agreed to by the House, and are as follows:—

“ To the Queen’s Most Excellent Majesty.

“ The Humble Address of Your Majesty’s Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.

“ MAY IT PLEASE YOUR MAJESTY,

“ We, the Legislative Council and Assembly of New Brunswick, ask leave to approach Your Majesty with renewed assurances of attachment to Your Majesty’s Person and Government.

“ The recent announcement by the Chancellor of the Exchequer in the House of Commons, of his intention of proposing to Parliament a reduction of the Duties on Foreign Wood, having caused feelings of alarm, mingled with discontent, among Your Majesty’s Loyal Subjects of New Brunswick, We feel it our duty unanimously to bring under Your Majesty’s gracious notice reasons which, we hope, may have the effect of inducing Your Majesty’s Government to withhold submitting such proposition.

“ It was certainly understood in this Province that the Act of 1846, for the gradual reduction of the Wood Duties, commencing in that year and ending in 1848, was to be final, based as it was upon the avowed policy of the British Parliament with reference to Free Trade, and that these Duties would not again be disturbed by Imperial Legislation. That Act placed Foreign and Colonial Wood in the British Market upon an equality; taking into consideration the relative difference of distance, and consequently of freight. To illustrate this, we beg most dutifully to call the attention of Your Majesty to the following facts:—

The

“ The average rates of freight from the Baltic may be estimated at from *fourteen shillings to eighteen shillings* per Load, while those from British America are from *thirty shillings to thirty three shillings* per Load: The existing difference of Duties in favor of the Colonies is *fourteen shillings* on Timber, and *eighteen shillings* on Deals; so that in fact there is literally no protection in favor of Colonial Wood.

“ The proposed reduction of *seven shillings* per Load on Timber, and *ten shillings* on Deals, would operate as a direct differential Duty against British America. What therefore must be the inevitable effect, if the contemplated alteration takes place? Nothing but absolute ruin to the Trade and those engaged in it, together with the almost if not total loss of the immense Capital invested for a successful prosecution of the Trade with the Mother Country.

“ We need not point out to Your Majesty, that the British Market is really the only one we have to look to for the export of our great Staples, shut out as we are from the Ports of the United States by prohibitory Wood Duties of Twenty per cent., which renders any shipment to that quarter of comparatively little benefit.

“ We therefore pray Your Majesty graciously to interpose Your Royal Authority in averting from us the evils to which we would become subject by the contemplated measure.”

WILLIAM BLACK, *President Legislative Council.*

CHARLES SIMONDS, *Speaker of the Assembly.*

“ To the Lords, Spiritual and Temporal, of the United Kingdom of Great Britain and Ireland,
in Parliament assembled.

“ *The Humble Petition of Her Majesty's Legislative Council and Assembly of the Province of New Brunswick, in General Assembly convened.*

“ MAY IT PLEASE YOUR MOST HONORABLE HOUSE,

“ The Legislative Council and Assembly of New Brunswick having observed the recent announcement by the Chancellor of the Exchequer in the House of Commons, of his intention of proposing to Parliament a reduction of the Duties on Foreign Wood, which has caused feelings of alarm, mingled with discontent, among Her Majesty's Loyal Subjects of New Brunswick, We feel it our duty unanimously to address Your Most Honorable House on this important subject.

“ It was certainly understood in this Province that the Act of 1846, for the gradual reduction of the Wood Duties, commencing in that year and ending in 1848, was to be final, based as it was upon the avowed policy of the British Parliament with reference to Free Trade, and that these Duties would not again be disturbed by Imperial Legislation. That Act placed Foreign and Colonial Wood in the British Market upon an equality; taking into consideration the relative difference of distance, and consequently of freight. To illustrate this, we beg most respectfully to call the attention of Your Most Honorable House to the following facts:—

“ The average rates of Freight from the Baltic may be estimated at from *fourteen shillings to eighteen shillings* per Load, while those from British America are from *thirty shillings to thirty three shillings* per Load: The existing difference of Duties in favor of the Colonies is *fourteen shillings* on Timber, and *eighteen shillings* on Deals; so that in fact there is literally no protection in favor of Colonial Wood.

F*

“ The

“ The proposed reduction of *seven shillings* per Load on Timber, and *ten shillings* on Deals, would operate as a direct differential Duty against British America. What therefore must be the inevitable effect, if the contemplated alteration takes place? Nothing but absolute ruin to the Trade and those engaged in it, together with almost if not total loss of the immense Capital invested for a successful prosecution of the Trade with the Mother Country.

“ We need not point out to Your Most Honorable House, that the British Market is really the only one we have to look to for the export of our great Staples, shut out as we are from the Ports of the United States by prohibitory Wood Duties of Twenty per cent., which renders any shipment to that quarter of comparatively little benefit.

“ We therefore humbly and earnestly pray Your Most Honorable House to take this Our Petition into your most favourable consideration, and adopt such measures as will secure to us the advantages consequent upon our connection with the Mother Country, and avert the evils which must inevitably ensue, if the contemplated change should be carried into effect.”

WILLIAM BLACK, *President Legislative Council.*
CHARLES SIMONDS, *Speaker of the Assembly.*

“ To the Honorable the Knights, Citizens and Burgesses, representing the Commons of the United Kingdom of Great Britain and Ireland, in Parliament convened.

“ The Humble Petition of Her Majesty's Legislative Council and Assembly of the Province of New Brunswick, in General Assembly convened.

“ MAY IT PLEASE YOUR HONORABLE HOUSE,

“ The Legislative Council and Assembly of New Brunswick having observed the recent announcement by the Chancellor of the Exchequer in the House of Commons, of his intention of proposing to Parliament a reduction of the Duties on Foreign Wood, which has caused feelings of alarm, mingled with discontent, among Her Majesty's Loyal Subjects of New Brunswick, We feel it our duty unanimously to address Your Honorable House on this important subject.

“ It was certainly understood in this Province that the Act of 1846, for the gradual reduction of the Wood Duties, commencing in that year and ending in 1848, was to be final, based as it was upon the avowed policy of the British Parliament with reference to Free Trade, and that these Duties would not again be disturbed by Imperial Legislation. That Act placed Foreign and Colonial Wood in the British Market upon an equality; taking into consideration the relative difference of distance, and consequently of freight. To illustrate this, we beg most respectfully to call the attention of Your Honorable House to the following facts:—

“ The average rates of Freight from the Baltic may be estimated at from *fourteen shillings* to *eighteen shillings* per Load, while those from British America are from *thirty shillings* to *thirty three shillings* per Load: The existing difference of Duties in favor of the Colonies is *fourteen shillings* on Timber, and *eighteen shillings* on Deals, so that in fact there is literally no protection in favor of Colonial Wood.

“ The proposed reduction of *seven shillings* per load on Timber, and *ten shillings* on Deals, would operate as a direct differential Duty against British America. What therefore must be the inevitable effect, if the contemplated alteration takes place? Nothing but absolute

absolute ruin to the Trade and those engaged in it, together with almost if not total loss of the immense Capital invested for a successful prosecution of the Trade with the Mother Country.

“ We need not point out to your Honorable House, that the British Market is really the only one we have to look to for the export of our great Staples, shut out as we are from the Ports of the United States by prohibitory Wood Duties of Twenty per cent, which renders any shipment to that quarter of comparatively little benefit.

“ We therefore humbly and earnestly pray Your Honorable House to take this Our Petition into your most favourable consideration, and adopt such measures as will secure to us the advantages consequent upon our connection with the Mother Country, and avert the evils which must inevitably ensue, if the contemplated change should be carried into effect.”

WILLIAM BLACK, *President Legislative Council.*
CHARLES SIMONDS, *Speaker of the Assembly.*

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

Adjourned until To-morrow at 11 o'clock.

SATURDAY, 5th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to provide for the establishment of Municipal Authorities in this Province, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to amend an Act relating to Churches erected or to be erected in this Province, in connexion with the Established Church of Scotland.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The

The said amendments were then read by the Clerk, as follows :—

At A in Section I. expunge the remainder of the Section, and insert the words “intituled ‘An Act to repeal all the Laws now in force relating to Saint Andrews Church in the City of Saint John, and for incorporating certain persons, Pewholders of the said Church, and of the several Churches erected or to be erected in this Province, in connexion with the Church of Scotland,’ be and the same are hereby repealed.”

At B in Section II. expunge the words “of that date forever hereafter,” and insert the word “thereafter.”

At C insert the words “nor less than five.”

At D expunge the words “or male communicants.”

At E insert four new Sections, as follows :—

“ III. ‘And whereas there are now some Churches in connexion with the Established Church of Scotland in this Province that have no proprietary of Pews;’ Be it enacted, that in all such cases, and in all others that may hereafter arise, it shall and may be lawful for all male communicants and regular sitters in any such Church or Churches, to assemble at the time and in the manner aforesaid, and elect from among themselves Trustees as hereinbefore provided, who shall, when so elected, exercise and enjoy all the privileges, and be subject to the provisions of this or any other Act of the Legislature of this Province, made or to be made, relating to the Churches aforesaid.

“ IV. And be it further enacted, That in all meetings of Trustees after the passing of this Act, on due notice being given or left at the usual place of business or residence of each Trustee, a majority of the Members elected on the day of the annual election shall constitute a quorum for the transaction of business.

“ V. And be it enacted, That the Trustees of any Church elected as aforesaid, or the major part of them, after due notice being given or left at the usual place of abode, of their election, by the Secretary of the Meeting, and of the place and time of the first meeting of the Trustees so elected, shall elect from among themselves a Chairman, who shall preside over the deliberations of all meetings of Trustees; provided always, that in case of absence of such Chairman, it shall be lawful for the Trustees then present to elect a Chairman for the time being, to preside over the meeting.

“ VI. And be it enacted, That in case of refusal to act as a Trustee, or in case of the death, or absence from the Province for four months, of any Trustee or Trustees so elected as aforesaid, it shall be lawful for the remaining Trustees, or the major part of them, at any meeting regularly convened, to appoint from among those duly qualified under this Act, another or other Trustees in the room and place of any Trustee or Trustees who may have so refused to act, died, or been absent from the Province for four months, and this so often as the same shall happen; and any Trustee or Trustees so appointed shall continue in office until the next election, or until another or others is or are chosen in his or their stead.”

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time on Monday next.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to secure to Married Women real and personal Property held in their own right.

The

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows :—

At A in Section III. insert the words “ or withholding from her any property, real or personal, being her separate property.”

At B insert the words “ deed, release.”

At C insert the words “ and in any suit so brought, the said Married Woman, and all her separate property, shall be held liable for all costs of suit, as in cases of the like nature brought by other parties in the several Courts of Law in this Province.”

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time on Monday next.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the Navigation of the River and Harbour of Saint John, and the Report of the Select Committee thereon.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

The Chairman further reported, that the following amendment was moved, viz :—
To add the following additional Section to the said Bill :—

“ II. Be it enacted, That this Act shall continue and be in force until the first day of May which shall be in the year 1854.”

And it was decided in the negative.

ORDERED, That the Report be received, and the Bill read a third time on Monday next.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations report that they have examined the following Bills, viz :—“ A Bill, intituled ‘ An Act to incorporate the Joint Committee of the Library of the Legislature of New Brunswick,’ ” and “ A Bill, intituled ‘ An Act to incorporate the Trustees of the Provident Institution ;’ ” and recommend the same to the favourable consideration of the House.

Respectfully submitted.

Committee Room, April 6, 1851.

A. E. BOTSFORD, *Chairman.*

G*

ORDERED,

ORDERED, That the House be put into Committee of the whole on Monday next, to take the said Bill and the Report of the Select Committee thereon into consideration.

A Message was brought from the Assembly by Mr. Taylor with the following Resolution :—

“ House of Assembly, 4th April, 1851.

“ Resolved, That this House doth agree to the Joint Addresses to Her Most Gracious Majesty and the Imperial Parliament, upon the subject of an apprehended reduction in the Imperial Duties on Foreign Timber and Deals.

CHAS. P. WETMORE, *Clerk.*”

On motion—

ORDERED, That the Honorable Mr. Botsford be a Committee on the part of this House, to join the Committee of the Assembly, to wait upon His Excellency with the Joint Addresses to Her Majesty and the Imperial Parliament, in reference to an apprehended reduction of the Imperial Duties on Foreign Timber and Deals, and to request His Excellency to transmit the same, to be laid at the Foot of the Throne.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Taylor, with the following Resolution :—

“ House of Assembly, 5th April, 1851.

“ Ordered, That Mr. Montgomery and Mr. Taylor be a Committee on the part of this House, to join such Committee as may be appointed by the Honorable the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the Joint Addresses to Her Most Gracious Majesty and the Imperial Parliament, upon the subject of an apprehended reduction in the Imperial Duties on Foreign Timber and Deals.

CHAS. P. WETMORE, *Clerk.*”

A Message was brought from the Assembly by Mr. Gray, with the following Resolutions :—

“ House of Assembly, 5th April, 1851.

“ Whereas the attention of this House has been called by a Message of His Excellency the Lieutenant Governor to a Despatch from the Right Honorable Earl Grey, Her Majesty’s Principal Secretary of State for the Colonies, with several documents accompanying the same, relative to the Railway formerly proposed between Halifax and Quebec, upon which it is desirable that the immediate action of this House should be taken; therefore

“ Resolved, That this House fully responds to the sentiments and opinions expressed by Earl Grey in his Despatch to Lord Elgin, dated fourteenth March, 1851,—‘ That the ‘ construction of a Railway from Halifax to Quebec is calculated greatly to advance the ‘ Commercial and Political interests both of the British Provinces of North America and ‘ of the Mother Country,’ and ‘ that the time has at length arrived when this great National enterprise may be undertaken;’—but they learn with regret that in a work now admitted to be of ‘ such great importance to the British Empire,’ Her Majesty’s Government is not prepared to contribute any portion of the funds necessary for its construction,
and

and should, as a condition precedent to the Imperial guarantee, require these Colonies to pledge their whole available Revenues to build the same at their own expense.

“ *Resolved*, That while this House will adhere with strict fidelity to the pledges given to Her Majesty by the Joint Address of the Houses of Legislature of this Province, in the Session of 1849, and the Address of the House of Assembly in the Session of 1850, guaranteeing to Her Majesty, for the purposes of the Rail Road from Halifax to Quebec, ‘ all the ungranted Lands through which the said Road might pass, to the extent of ten ‘ miles on each side, to be disposed of in such manner as may be deemed most advisable ‘ to Her Majesty’s Government, and to secure, at the expense of the Province, a suffi- ‘ cient breadth of way and the necessary Stations over and upon private property, for ‘ the use of the said Road; and to charge upon the General Revenues of the Province ‘ a sum not exceeding Twenty thousand pounds Currency per annum, towards paying ‘ the interest upon the capital invested in the said Road, to be paid yearly from and after ‘ the completion of the said Road, and while the same is kept in operation, and to be ‘ continued for a term not exceeding twenty years;’—they desire distinctly to state that the refusal by Her Majesty’s Government, as conveyed in the several Despatches of the Right Honorable Earl Grey, bearing date the fifth of April, 1849, and the nineteenth of June, 1850, to undertake that great National work under the pledges made towards the same by Canada, New Brunswick and Nova Scotia, induced the people of this Province to turn their attention to the accomplishment of undertakings, which it would be in their power to carry out, and which, from their prospect of more immediate remuneration, would hold out greater inducements to capitalists to embark therein; and that in accordance with the almost unanimous wishes of the people of this Province, as expressed by overwhelming majorities in both Houses of the Legislature, the public credit has been pledged to the sum of Three hundred thousand pounds Sterling, for the building of the European and North American Railway, and the Saint Andrews and Quebec Railway, within this Province; and the House cannot adopt the plan suggested in the correspondence between the Honorable Mr. Howe and the Right Honorable Earl Grey, accompanying His Excellency’s Message; and is not prepared to pledge the public credit, or the future resources of the Province, further than is set forth in the Address before mentioned, towards building the Great Trunk Line from Halifax to Quebec.

“ *Resolved*, That this House would view with unqualified disapprobation, any scheme whereby Convicts should be introduced into this Province, either for labor or otherwise.

“ *Resolved*, That in the opinion of this House, the Executive Government of this Province should without delay make urgent application to Her Majesty’s Government, for the Royal assent to the Acts passed at the present Session of the Legislature, to facilitate the construction of the European and North American, and the Saint Andrews and Quebec Railways respectively.

“ *Resolved*, That the Legislative Council be requested to join in an Address to Her Majesty, founded upon the foregoing Resolutions.

CHAS. P. WETMORE, *Clerk.*”

RESOLVED, That this House do agree to the proposed Joint Address to Her Most Gracious Majesty; and that the Honorable Messieurs Botsford and Chandler be a Committee on the part of this House, to join the Committee of the Assembly, to prepare the same.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Gray, with the following Resolution:—

“ House of Assembly, 5th April, 1851. .

“ Ordered, That Mr. Gray, Mr. Ritchie, Mr. Montgomery, and Mr. Robinson, be a Committee on the part of this House, to join the Committee appointed by the Honorable the Legislative Council, to prepare a Joint Address to Her Majesty on the subject of Railways.

CHAS. P. WETMORE, *Clerk.*”

A Message was brought from the Assembly by Mr. Gray, that the Assembly had agreed to the Bill sent down from this House, intituled “ An Act to incorporate within this Province the British North American Electric Telegraph Association.”

A Message was brought from the Assembly by Mr. Earle, with Resolutions of Appropriation dated the fourth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Ritchie, with a Bill to reduce the Costs in Actions in the Supreme Court; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 11 o'clock.

MONDAY, 7th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed:—

A Bill relating to the Navigation of the River and Harbour of Saint John :

A

A Bill to secure to Married Women real and personal Property held in their own right: and

A Bill to amend an Act relating to Churches erected or to be erected in this Province, in connexion with the Established Church of Scotland.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the first entered Bill, without any amendment; and also that they had agreed to the two last entered Bills, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to reduce the Costs in Actions in the Supreme Court, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to consolidate and amend the Laws providing for the maintenance of Light Houses in the Bay of Fundy.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to repeal the Act relating to the Trade between the British North American Possessions, and to make other provisions in lieu thereof.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A in Section II. insert the words “from time to time and.”

At B expunge the words “when imported direct.”

At C expunge the word “so.”

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill, intituled “An Act to incorporate the Joint Committee of the Library of the Legislature of New Brunswick,” and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Botsford, from the Committee to prepare the Joint Address to Her Majesty on the subject of the Railway from Halifax to Quebec, reported that they had attended to that duty, and he presented the Address to the House.

The said Address was then read as follows, and agreed to by the House:—

“ To the Queen’s Most Excellent Majesty.

“ The Humble Address of Your Majesty’s Legislative Council and House of Assembly of the Province of New Brunswick.

“ MAY IT PLEASE YOUR MAJESTY,

“ Your Majesty’s most faithful Subjects, the Legislative Council and Assembly of New Brunswick, beg leave most humbly to approach Your Majesty with sentiments of unaltered attachment to Your Majesty’s Person.

“ The Council and Assembly having taken into consideration the Despatch of the Right Honorable the Secretary of State for the Colonies, dated the fourteenth of March last, relative to the proposed Railway from Halifax to Quebec or Montreal, have agreed to the accompanying Joint Resolutions, as expressing their opinions and views on this very important subject; and which they humbly pray may be graciously and favourably considered by Your Majesty.”

WILLIAM BLACK, *President Legislative Council.*

CHARLES SIMONDS, *Speaker of the Assembly.*

“ House of Assembly, 5th April, 1851.

“ Whereas the attention of this House has been called by a Message of His Excellency the Lieutenant Governor to a Despatch from the Right Honorable Earl Grey, Her Majesty’s Principal Secretary of State for the Colonies, with several documents accompanying the same, relative to the Railway formerly proposed between Halifax and Quebec, upon which it is desirable that the immediate action of this House should be taken; therefore

“ *Resolved*, That this House fully responds to the sentiments and opinions expressed by Earl Grey in his Despatch to Lord Elgin, dated fourteenth March, 1851,—‘ That the ‘ construction of a Railway from Halifax to Quebec is calculated greatly to advance the ‘ Commercial and Political interests both of the British Provinces of North America and ‘ of the Mother Country,’ and ‘ that the time has at length arrived when this great National enterprise may be undertaken;’—but they learn with regret that in a work now admitted to be of ‘ such great importance to the British Empire,’ Her Majesty’s Government is not prepared to contribute any portion of the funds necessary for its construction, and should, as a condition precedent to the Imperial guarantee, require these Colonies to pledge their whole available Revenues to build the same at their own expense.

“ *Resolved*, That while this House will adhere with strict fidelity to the pledges given to

to Her Majesty by the Joint Address of the Houses of Legislature of this Province, in the Session of 1849, and the Address of the House of Assembly in the Session of 1850, guaranteeing to Her Majesty, for the purposes of the Rail Road from Halifax to Quebec, 'all the ungranted Lands through which the said Road might pass, to the extent of ten miles on each side, to be disposed of in such manner as may be deemed most advisable to Her Majesty's Government, and to secure, at the expense of the Province, a sufficient breadth of way and the necessary Stations over and upon private property, for the use of the said Road; and to charge upon the General Revenues of the Province a sum not exceeding Twenty thousand pounds Currency per annum, towards paying the interest upon the capital invested in the said Road, to be paid yearly from and after the completion of the said Road, and while the same is kept in operation, and to be continued for a term not exceeding twenty years;'—they desire distinctly to state that the refusal by Her Majesty's Government, as conveyed in the several Despatches of the Right Honorable Earl Grey, bearing date the fifth of April, 1849, and the nineteenth of June, 1850, to undertake that great National work under the pledges made towards the same by Canada, New Brunswick and Nova Scotia, induced the people of this Province to turn their attention to the accomplishment of undertakings, which it would be in their power to carry out, and which, from their prospect of more immediate remuneration, would hold out greater inducements to capitalists to embark therein; and that in accordance with the almost unanimous wishes of the people of this Province, as expressed by overwhelming majorities in both Houses of the Legislature, the public credit has been pledged to the sum of Three hundred thousand pounds Sterling, for the building of the European and North American Railway, and the Saint Andrews and Quebec Railway, within this Province; and the House cannot adopt the plan suggested in the correspondence between the Honorable Mr. Howe and the Right Honorable Earl Grey, accompanying His Excellency's Message; and is not prepared to pledge the public credit, or the future resources of the Province, further than is set forth in the Address before mentioned, towards building the Great Trunk Line from Halifax to Quebec.

"*Resolved*, That this House would view with unqualified disapprobation, any scheme whereby Convicts should be introduced into this Province, either for labor or otherwise.

"*Resolved*, That in the opinion of this House, the Executive Government of this Province should without delay make urgent application to Her Majesty's Government, for the Royal assent to the Acts passed at the present Session of the Legislature, to facilitate the construction of the European and North American, and the Saint Andrews and Quebec Railways respectively.

"*Resolved*, That the Legislative Council be requested to join in an Address to Her Majesty, founded upon the foregoing Resolutions.

CHAS. P. WETMORE, *Clerk.*"

"*Legislative Council Chamber, 5th April, 1851.*

"*Resolved*, That this House do agree to join the Assembly in the proposed Joint Address to Her Majesty.

G. BOTSFORD, *Clerk.*"

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof; and that the Legislative Council had appointed the Honorable Mr. Botsford,

Botsford, as a Committee on the part of this House, to wait upon His Excellency with the said Address, and request His Excellency to transmit the same, to be laid at the Foot of the Throne.

A Message was brought from the Assembly by Mr. Gray, with the following Resolution :—

“ House of Assembly, 7th April, 1851.

“ Resolved, That this House do agree to the Joint Address of the Legislative Council and this House to Her Most Gracious Majesty, on the subject of Railways.

CHAS. P. WETMORE, Clerk.”

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill, intituled “ An Act to incorporate the Trustees of the Provident Institution,” and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time to-morrow.

A Message was brought from the Assembly by Mr. Gray, with the following Resolution :—

“ House of Assembly, 7th April, 1851.

“ Ordered, That Mr. Gray and Mr. Hanington be a Committee on the part of this House, to join the Committee of the Honorable the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the Joint Address to Her Most Gracious Majesty, on the subject of Railway from Halifax to Quebec, and request that His Excellency will be pleased to transmit the same, to be laid at the Foot of the Throne.

CHAS. P. WETMORE, Clerk.”

A Message was brought from the Assembly by Mr. Needham, with a Bill relating to the levying and collecting Rates in the City and County of Saint John ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Johnson, with Resolutions of Appropriation dated the third day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Wilmot, with a Bill to alter and amend the Act, intituled “ An Act imposing Duties for raising a Revenue ;” to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED,

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation respectively dated the twenty eighth day of March last, and the first and fourth days of April instant, and recommended that the House should concur in the same.

The Chairman further reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the third day of April instant, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation severally dated the twenty eighth day of March last, and the first and fourth days of April instant, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

The Honorable Mr. Botsford, from the Joint Committee of this House and the Assembly, appointed to wait upon His Excellency the Lieutenant Governor with their Address to Her Majesty on the subject of the Halifax and Quebec—the European and North American—and the Saint Andrews and Quebec Rail Roads,—and the Joint Address to Her Majesty and the Imperial Parliament on the subject of the Wood Duties, reported that they had attended to that duty, and that His Excellency was pleased to say, that he would transmit the Addresses by this day's Mail.

Adjourned until To-morrow at 11 o'clock.

TUESDAY, 8th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed :—

A Bill to consolidate and amend the Laws providing for the maintenance of Light Houses in the Bay of Fundy :

A Bill to alter and amend the Act, intituled “ An Act imposing Duties for raising a Revenue :” and

A Bill to repeal the Act relating to the Trade between the British North American Possessions, and to make other provisions in lieu thereof.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the two first entered Bills without any amendment ; also, that they have agreed to the last entered Bill, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill, intituled “ An Act to incorporate the Trustees of the Provident Institution,” was read a third time and passed.

ORDERED, That the Title be—

An Act to incorporate the Trustees of the Provident Institution.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill relating to the levying and collecting Rates in the City and County of Saint John, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

On motion—

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the third day of April instant, and recommended that the House should concur in the same, and that he was directed to ask for leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon

Whereupon the Resolutions of Appropriation dated the third day of April instant, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to reduce the Costs in Actions in the Supreme Court.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairmap reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill, intituled “An Act to incorporate the Joint Committee of the Library of the Legislature of New Brunswick,” and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Tilley, that the Assembly had agreed to the Bill sent down from this House, intituled “An Act to amend the Law relative to the administration of Criminal Justice.”

A Message was brought from the Assembly by Mr. Needham, with Resolutions of Appropriation dated the fifth and seventh days of April instant; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation.

The Honorable Mr. Robertson, by leave, presented a Petition from James Whitney, praying remuneration for carrying Mails across the Bay of Fundy.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 11 o'clock.

WEDNESDAY, 9th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Hazen,*

Mr.

*Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to reduce the Costs in Actions in the Supreme Court.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

The Chairman further reported, that on the question, whether the said Bill, as amended, should be recommended to the adoption of the House, the Committee divided as follows:—

CONTENT.

The Hon. Mr. President,
Mr. Chandler,
Mr. Hatch,
Mr. Robertson,
Mr. Hazen,
Mr. Hill,
Mr. Harrison,
Mr. Brown,
Mr. Connell.

NON-CONTENT.

The Hon. Mr. Shore,
Mr. Saunders,
Mr. Botsford,
Mr. Solicitor General,
Mr. Davidson,
Mr. Odell.

And so it passed in the affirmative.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A in Section II. expunge the words “the first day of September next,” and insert the words “Her Majesty’s Royal approbation be thereto first had and declared.”

At B in the Title, expunge the remainder of the Title, and insert “abolish the Fees now received by the Judges of the Supreme Court.”

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the levying and collecting Rates in the City and County of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A

A Message was brought from the Assembly by Mr. Hatheway, with Resolutions of Appropriation dated the eighth day of April instant; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation presently.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation severally dated the fifth, seventh and eighth days of April instant, and recommended that the House should concur in the same.

The Chairman further reported, that he was directed to ask leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Beardsley, with a Bill to incorporate the Simonds Agricultural Society; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Gordon, that the Assembly had agreed to the amendments sent down from this House to the Bill to amend an Act relating to Churches erected or to be erected in this Province in connexion with the Established Church of Scotland.

A Message was brought from the Assembly by Mr. Needham, that the Assembly had agreed to the amendments sent down from this House to the Bill to extend the provisions of an Act, intituled "An Act in addition to an Act, intituled 'An Act to extend the privilege of Solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province,'" to the Reverend William Thomas Wishart, Spiritual Teacher to the Congregation of Modern Calvinists in the City of Saint John.

A Message was brought from the Assembly by Mr. Wilmot, that the Assembly had agreed to the amendments sent down from this House to the Bill to secure to Married Women real and personal Property held in their own right.

The Honorable Mr. Hill presented to the House a Bill, intituled "An Act in further amendment of the Law."

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Barberie, with a Bill to provide for the free transportation of Newspapers and Tracts through this Province without any imposition of Postage ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Hazen presented to the House a Bill, intituled "An Act to authorize the Barristers' Society of New Brunswick to sell the Law Library now owned by them."

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The House adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and being seated on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honorable the President, to let the Assembly know—"It is His Excellency's pleasure that they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave His assent to the following Bill, intituled—

An Act to alter and amend the Act, intituled "An Act imposing Duties for raising a Revenue."

The House of Assembly withdrew, and His Excellency was pleased to retire.

Adjourned until To-morrow at 11 o'clock.

THURSDAY, 10th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to reduce the Costs in Actions in the Supreme Court, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A

A Bill, intituled "An Act to authorize the Barristers' Society of New Brunswick to sell the Law Library now owned by them :"

A Bill, intituled "An Act in further amendment of the Law :"

A Bill to provide for the free transportation of Newspapers and Tracts through this Province, without any imposition of Postage.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill, intituled "An Act to incorporate the Joint Committee of the Library of the Legislature of New Brunswick," and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time to-morrow.

On motion made and seconded, that leave of absence be granted to the Honorable Mr. Hatch ;

It was decided in the negative.

The Honorable Mr. Hill presented to the House a Bill, intituled "An Act to alter the Law relating to Joint Tenancy."

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion made and seconded—

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid before this House at the next Session of the Legislature, Returns by the several Registers of Deeds in this Province, of the full amount of Fees received by them respectively for all purposes as such Registers for two years, commencing on the first day of January 1850, and ending first January 1852 ; and also the full number of Deeds or other Instruments recorded by them during the said two years.

ORDERED, That the Honorable Messieurs Hill and Connell be a Committee to wait upon His Excellency to present the same.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 11th April, 1851.

PRESENT :

THE HON.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,*

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,*

Mr.

*Mr. Solicitor General,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act to incorporate the Joint Committee of the Library of the Legislature of New Brunswick," as engrossed, was read a third time and passed.

ORDERED, That the Title be—

An Act to incorporate the Joint Committee of the Library of the Legislature of New Brunswick.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill, intituled "An Act to alter the Law relating to Joint Tenancy," was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to provide for the free transportation of Newspapers and Tracts through this Province, without any imposition of Postage.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill, intituled "An Act in further amendment of the Law."

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Thomson, with Resolutions of Appropriation dated the ninth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Robinson, with a Bill to revive and continue an Act to provide for the better payment of Petit Jurors attending the
several

several Courts of Record in the Province; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Botsford, that the Assembly had agreed to the amendments sent down from this House to the Bill to reduce the Costs in Actions in the Supreme Court.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 12th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to provide for the free transportation of Newspapers and Tracts through the Province, without any imposition of Postage, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the Bill to revive and continue an Act to provide for the better payment of Petit Jurors attending the several Courts of Record in this Province, was read a second time.

ORDERED, That the House be put into Committee of the whole on Monday next, to take the said Bill into consideration.

On motion—

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the ninth day of April instant, and recommended that the House should concur in the same.

The Chairman further reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the eleventh day of April instant, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon

Whereupon the Resolutions of Appropriation dated the ninth day of April instant, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Wilmot, with a Bill to revive and continue an Act to alter and amend the Act to regulate Sales by Public Auction; also, with Resolutions of Appropriation dated the eleventh day of April instant; to which they desire the concurrence of this House.

The said Bill and Resolutions were severally read a first time.

ORDERED, That the said Bill be read a second time on Monday next.

ORDERED, That the said Resolutions be referred to the Committee of the whole House on Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Steves, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act relating to Grand Juries in this Province."

Adjourned until Monday next at 11 o'clock.

MONDAY, 14th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to revive and continue an Act to alter and amend the Act to regulate Sales by Public Auction, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to revive and continue an Act to provide for the better payment of Petit Jurors attending the several Courts of Record in the Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill relating to the levying and collecting Rates in the City and County of Saint John.

The

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations beg leave to report that they have examined “A Bill to incorporate the Simonds Agricultural Society,” and recommend the same to the adoption of the House without amendment.

Respectfully submitted.

Committee Room, April 14, 1851.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill and the Report of the Select Committee thereon into consideration.

A Message was brought from the Assembly by Mr. Hatheway, with a Bill to repeal the several Acts for incorporating the City of Fredericton, and to make other provisions in lieu thereof ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Pickard, with a Bill in addition to and in amendment of the Acts now in force for the collection and protection of the Revenue of this Province ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. English, with a Bill to revive and continue an Act to provide for the more effectual prevention of Trespasses and protection of Timber growing on the Crown Lands within this Province ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Earle, with the following Bills, to which they desire the concurrence of this House :—

A Bill in addition to and declaratory of the meaning of the Acts now in force for establishing a Legal Tender in this Province : and

A Bill to incorporate the Grand Lake, Queen’s County, Agricultural Society.

The said Bills were severally read a first time.

ORDERED, That the first entered Bill be read a second time to-morrow.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the last entered Bill, and that it be read a second time presently.

The

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 15th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin,
Mr. Hill,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to revive and continue an Act to provide for the better payment of Petit Jurors attending the several Courts of Record in the Province, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to repeal the several Acts for incorporating the City of Fredericton, and to make other provisions in lieu thereof :

A Bill in addition to and in amendment of the Acts now in force for the collection and protection of the Revenue of this Province :

A Bill in addition to and declaratory of the meaning of the Acts now in force for establishing a Legal Tender in this Province : and

A Bill to revive and continue an Act to provide for the more effectual prevention of Trespasses and protection of Timber growing on the Crown Lands within this Province.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the three first entered Bills severally into consideration.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the last entered Bill, and that the House be put into Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Pursuant

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Simonds Agricultural Society, and the Report of the Select Committee thereon.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows:—

At A in Section II. expunge the remainder of the Section.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to revive and continue an Act to alter and amend the Act to regulate Sales by Public Auction.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill, intituled "An Act in further amendment of the Law."

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration the Bill, intituled "An Act to alter the Law relating to Joint Tenancy."

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill engrossed and read a third time to-morrow.

A Message was brought from the Assembly by Mr. Tilley, with a Bill in amendment of an Act, intituled "An Act for the better prevention of Illicit Trade;" to which they desire the concurrence of this House.

The

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion made and seconded—

RESOLVED, That an humble Address be presented to Her Most Gracious Majesty, on the subject of an Elective Legislative Council.

ORDERED, That the Honorable Messieurs Robertson, Saunders, Hatch, and Odell, be a Select Committee to prepare the said Address.

Adjourned until To-morrow at 11 o'clock.

WEDNESDAY, 16th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hill,
Mr. Harrison,
Mr. Brown,*

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,
Mr. Minchin,
Mr. Hazen,
Mr. Davidson,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills, as engrossed, were severally read a third time, and passed :—

A Bill, intituled “ An Act in further amendment of the Law :” and

A Bill, intituled “ An Act to alter the Law relating to Joint Tenancy.”

ORDERED, That the Titles of the said Acts severally be—

An Act to alter the Law relating to Joint Tenancy : and

An Act in further amendment of the Law.

ORDERED, That the Master in Chancery do carry the said Bills down to the Assembly and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed :—

A Bill to revive and continue an Act to provide for the more effectual prevention of Trespasses and protection of Timber growing on the Crown Lands within this Province :

A Bill to revive and continue an Act to alter and amend the Act to regulate Sales by Public Auction : and

A Bill to incorporate the Simonds Agricultural Society.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the two first entered Bills without any amendment ; also, that they have agreed to the last entered Bill, with an amendment, to which they desire the concurrence of the Assembly.

Pursuant

Pursuant to the Order of the Day, the Bill in amendment of an Act, intituled "An Act for the better prevention of Illicit Trade," was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill in addition to and in amendment of the Acts now in force for the collection and protection of the Revenue of this Province.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the Resolutions of Appropriation dated the eleventh day of April instant, had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill in addition to and declaratory of the meaning of the Acts now in force establishing a Legal Tender in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Taylor, with a Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 11 o'clock.

THURSDAY, 17th April, 1851.

PRESENT:

THE HON.

*Mr. Shore,
Mr. Botsford,
Mr. Robertson,*

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Hatch,*

Mr.

*Mr. Solicitor General,
Mr. Hill,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Minchin,
Mr. Hazen,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the Bill in addition to and in amendment of the Acts now in force for the collection and protection of the Revenue of this Province, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province, was read a second time.

ORDERED, That the House be put into Committee of the whole on Saturday next, to take the said Bill into consideration.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations beg leave to report that they have examined "A Bill to incorporate the Grand Lake, Queen's County, Agricultural Society," and have prepared an amendment to the same, which they recommend to the favourable consideration of the House.

Respectfully submitted.

Committee Room, April 16, 1851.

A. E. BOTSFORD, Chairman.

ORDERED, That the House be put into Committee of the whole on Saturday next, to take the said Bill and the Report of the Select Committee thereon into consideration.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to repeal the several Acts for incorporating the City of Fredericton, and to make other provisions in lieu thereof.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. English, that the Assembly had agreed to the amendment sent down from this House to the Bill to incorporate the Simonds Agricultural Society.

Adjourned until Saturday next at 11 o'clock.

SATURDAY, 19th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Hill,
Mr. Odell.*

*Mr. Saunders,
Mr. Hatch,
Mr. Minchin,
Mr. Brown,*

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time on Monday next.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Grand Lake, Queen's County, Agricultural Society, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows:—

At A in Section II. expunge the remainder of the Section.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time on Monday next.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to repeal the several Acts for incorporating the City of Fredericton, and to make other provisions in lieu thereof.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A in Section VIII. insert the words “who is hereby required to furnish the same on demand, under the penalty of forty shillings for each refusal.”

At B at the end of Section IX. add the words—“Provided always that such disqualification shall not arise from holding any Lease of Land from the Corporation; and that no Councillor shall receive into his hands any moneys for and on account of any contract, work or employment, made, done or performed by, or on behalf of, or by direction of the said Corporation, but that all moneys due by the said Corporation on any such account shall be paid by the Treasurer of the City to the person or persons who shall have actually done such work and shall be entitled to such moneys by, under or for such contract, work or employment, or to his or their order.”

At C in Section XXIV. insert the words “which must be held within three days.”

At D in Section XXXVIII. insert the words “be lawful.”

At E in Section XL. insert the words “or during the continuance.”

At F in Section XLVII. expunge the words “and other Officers as may be deemed necessary for the good of the public at large,” and insert the words “Harbour Master and Wharfinger.”

At G in Section LI. expunge the whole Section, and insert as follows:—

“And be it enacted, That it shall be the duty of the City Council to publish in one or more of the Newspapers published in the City one month before the annual election of Mayor and Councillors in each year, for the information of the Citizens, a full and detailed statement of the receipts and expenditure of the Corporation during the past year; and in every such statement the different sources of revenue and the amount received from each; the several appropriations made by the Council, the objects for which the same were made, and the amount of moneys expended under each; the moneys borrowed on the credit of the Corporation, the authority under which each loan was made, and the terms on which the same was obtained, shall be clearly and particularly specified; together with the amounts of all assessments ordered and made, the several purposes of such assessments, the amount actually received under such assessments, and a detailed account of the appropriation thereof; and that such statements and accounts shall be made up to the thirty first day of December preceding such publication in each year, signed by the Mayor and Auditor of the City for the time being.”

At H in Section LIII. insert the words “and to grant licences for the due weighing and admeasurement thereof.”

At J in the same Section, insert the words “and to prevent or punish the use of pipes or cigars.”

At K in Section LV. insert the words “whether by rents of property or otherwise.”

At L in Section LXII. insert the words “or the agent of any non-resident assessed as aforesaid.”

At M in the same Section, expunge the words “at their meeting held next after the receipt of such appeal.”

At N in Section LXXIII. insert the words “salaries and fees.”

At O in Section LXXX. insert the words “and the construction of the terms ‘real estate’ and ‘personal estate.’”

At P in Section LXXXI. insert the words “and in case of the sickness or absence of the said Mayor from the said City, before any two of the said Councillors.” At

At Q in the same Section, insert the words "or any one of the Councillors not engaged in the suit and trial of the cause."

At R in the same Section, expunge the words "in the fourth year of the Reign of King William the Fourth, intituled 'An Act to facilitate summary proceedings before Justices of the Peace, and the execution of Warrants by Constables,' and of another Act made and passed."

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time on Monday next.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to provide for the services of the Speaker and Members of the House of Assembly, when attending the General Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received; and it was thereupon

RESOLVED, That the farther consideration of the said Bill be postponed for three months.

Adjourned until Monday next at 11 o'clock.

MONDAY, 21st April, 1851.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Hatch,
Mr. Minchin,
Mr. Brown,*

*Mr. Botsford,
Mr. Solicitor General,
Mr. Hill,
Mr. Odell.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time, and passed:—

A Bill to repeal the several Acts for incorporating the City of Fredericton, and to make other provisions in lieu thereof:

A Bill to incorporate the Grand Lake, Queen's County, Agricultural Society: and

A Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the two first entered Bills, with certain amendments, to which they desire the concurrence of the Assembly; also, that they have agreed to the last entered Bill without any amendment.

On

On motion—

The House was put into Committee of the whole to take into consideration the Bill in amendment of an Act, intituled “An Act for the better prevention of Illicit Trade.”

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A in Section I. insert the following words—“or which may hereafter be seized, condemned and forfeited.”

At B insert the words “made or to be made.”

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

The Honorable Mr. Brown, by leave, presented a Petition from George Cummings, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hill, by leave, presented a Petition from John Walsh, praying aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 11 o'clock.

TUESDAY, 22d April, 1851.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Hill,
Mr. Odell.*

*Mr. Saunders,
Mr. Hatch,
Mr. Minchin,
Mr. Brown,*

PRAYERS.

Pursuant to the Order of the Day, the Bill in amendment of an Act, intituled “An Act for the better prevention of Illicit Trade,” as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

A

A Message was brought from the Assembly by Mr. Taylor, with Resolutions of Appropriation dated the nineteenth and twenty first days of April instant ; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation.

On motion—

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation severally dated the eleventh, nineteenth and twenty first days of April instant, and recommended that the House should concur in the same.

The Chairman further reported, that he was directed to ask leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Wilmot with the following Resolution :—

“ House of Assembly, 21st April, 1851.

“ Whereas it is necessary for the interests of Her Majesty’s Subjects in this Province engaged in the Fisheries, that more effectual measures should be taken to prevent encroachment by Foreigners on the Fishing Grounds on the Coast of New Brunswick ; therefore

“ *Resolved*, That an humble and dutiful Address be presented to Her Most Gracious Majesty the Queen, praying that means may be taken for protecting the Fisheries, as recommended by the Report of the Committee of this House on that subject ; and further

“ *Resolved*, That the Honorable the Legislative Council be requested to join this House in such Address.

CHAS. P. WETMORE, *Clerk.*”

RESOLVED, That this House do agree to join the Assembly in the proposed Joint Address.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

Adjourned until To-morrow at 11 o'clock.

WEDNESDAY, 23d April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,*

*Mr. Saunders,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hill,
Mr. Brown,*

PRAYERS.

A Message was brought from the Assembly by Mr. Robinson, with the following Resolution :—

“ House of Assembly, 22d April, 1851.

Ordered, That Mr. Wilmot and Mr. Robinson be a Committee on the part of this House, to join such Committee as may be appointed by the Honorable the Legislative Council, to prepare a Joint Address to Her Most Gracious Majesty the Queen relative to the protection of the Fisheries.

CHAS. P. WETMORE, *Clerk.*”

ORDERED, That the Honorable Mr. Robertson be a Committee on the part of this House, to prepare the Joint Address to Her Majesty on the subject of the protection of the Fisheries.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Hatheway, that the Assembly had agreed to the amendments sent down from this House to the Bill to repeal the several Acts for incorporating the City of Fredericton, and to make other provisions in lieu thereof.

A Message was brought from the Assembly by Mr. Ryan, with the following Bills, to which they desire the concurrence of this House :—

A Bill to establish the Road leading from the Great Road running from Fredericton to the Finger Board, at or near James Tilley's, in the Parish of Sheffield, County of Sunbury, to the Great Road running from Fredericton to the Bend of Petitcodiac, as one of the Great Roads of Communication : and

A Bill to incorporate the Sussex and Studholm Agricultural Society.

The said Bills were severally read a first time.

ORDERED, That the first entered Bill be read a second time to-morrow.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the last entered Bill, and that it be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A

A Message was brought from the Assembly by Mr. M'Phelim, with a Bill to incorporate the County of Kent Agricultural Society ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Needham, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act in further amendment of the Law," with an amendment, to which they desire the concurrence of this House.

The said amendment was read a first time.

ORDERED, That the said amendment be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Porter, with a Bill to revive and continue certain Acts of Assembly providing for expenses of the Legislature ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. M'Phelim, with Resolutions of Appropriation dated the twenty second day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to the Committee of the whole House on Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Steves, with a Bill to enable certain persons who may have obtained Certificates of Conformity under and by virtue of any Act or Acts of the Legislature of this Province heretofore in force relating to Bankruptcy, to proceed to confirmation of such Certificate or Certificates by application to the Master of the Rolls or Court of Chancery, as provided by the said Act or Acts, or any of them ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 11 o'clock.

THURSDAY, 24th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Hatch,
Mr. Minchin,*

*Mr. Saunders,
Mr. Robertson,
Mr. Solicitor General,
Mr. Hill,*

Mr.

*Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Davidson,
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to establish the Road leading from the Great Road running from Fredericton to the Finger Board, at or near James Tilley's, in the Parish of Sheffield, County of Sunbury, to the Great Road running from Fredericton to the Bend of Petitcodiac, as one of the Great Roads of Communication :

A Bill to enable certain persons who may have obtained Certificates of Conformity under and by virtue of any Act or Acts of the Legislature of this Province heretofore in force relating to Bankruptcy, to proceed to confirmation of such Certificate or Certificates by application to the Master of the Rolls or Court of Chancery, as provided by the said Act or Acts, or any of them : and

A Bill to revive and continue certain Acts of Assembly providing for expenses of the Legislature.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration.

A Message was brought from the Assembly by Mr. Tilley, that the Assembly had agreed to the amendments sent down from this House to the Bill in amendment of an Act, intituled "An Act for the better prevention of Illicit Trade."

A Message was brought from the Assembly by Mr. Earle, that the Assembly had agreed to the amendment made by this House to the Bill to incorporate the Grand Lake, Queen's County, Agricultural Society.

Pursuant to the Order of the Day, the amendment sent up from the Assembly to the Bill, intituled "An Act in further amendment of the Law," being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said amendment.

The Honorable Mr. Robertson, from the Committee appointed to join the Committee of the Assembly to prepare a Joint Address to Her Majesty on the subject of protecting the Fisheries, reported that they had attended to that duty, and he presented the Address to the House.

The Address was then read by the Clerk, as follows, and agreed to by the House :

"To the Queen's Most Excellent Majesty.

*"The Humble Address of the Legislative Council and Assembly of the Province of
New Brunswick.*

"MAY IT PLEASE YOUR MAJESTY,

"The Legislative Council and Assembly of Your Majesty's Province of New Brunswick beg leave to approach Your Majesty with assurances of devoted attachment to Your Majesty's Person and Government. "The

“The occasion of this Address is one that deeply concerns a large class of Your Majesty’s Subjects in this Province.

“The Deep Sea Fisheries belonging to this Province, and to the Subjects of Your Majesty’s other North American Colonies, are of immense value if properly protected; but the encroachment by Foreigners upon this important branch of Colonial production has now grown to such an extent as materially to affect its productiveness.

“The Citizens of the United States are restricted, by the Convention of 1818, from fishing within three miles of the Shores of this Province, but in defiance thereof they prosecute the Fisheries within that limit, and frequently in such a manner as to prevent the resident Fishermen from successfully following their usual avocation. They are stimulated to this by the heavy protective Duty of twenty per cent. upon all Foreign caught Fish, and by a large Bounty on the tonnage employed, as well as upon the Fish caught by themselves, which enable them to prosecute the Fishery with a certainty of success.

“Your Majesty’s Subjects, on the other hand, have neither Protection nor Bounty, and are moreover virtually excluded from the benefit of their natural and nearest market by the heavy protective Duties already referred to. The West Indies also, formerly their greatest outlet, have now ceased in a great measure to be consumers.

“Under these depressing circumstances, the Council and Assembly beg that Your Majesty will be graciously pleased to direct the attention of Your Majesty’s Advisers to the annexed Memorandum by J. J. Robinson, Commander in Your Royal Navy, laid before the House of Assembly of this Province during the present Session, by a Committee specially appointed to take into consideration the subject of the Fisheries of this Province; and pray that such measures may be adopted as will remedy the evils complained of.”

WILLIAM BLACK, *President Legislative Council.*

CHARLES SIMONDS, *Speaker of the Assembly.*

Memorandum of J. J. Robinson, Commander Royal Navy, laid before the House of Assembly during the present Session by the Committee appointed to take into consideration the subject of the Fisheries of this Province.

“The existing mode of protecting the Fisheries in this Province by two Men of War, namely, one on the North Shore or Bay Chaleur, the other in the Bay of Fundy, for a few Summer months, does not answer the purposes contemplated, although the Officers so employed are most zealous in performing their duties while on the Station, for the two following most simple and evident reasons.

“In the first place they come too late and go away too soon; arriving in May or June, and leaving in October, the early Herring Fishery (as witness this year) and late line Fishing, being thereby entirely neglected; and also coming as they generally do to the Province as perfect strangers, by the time the Commander and Officers have learned the different localities and details, the time has arrived, by the orders of the Commander in Chief, to return to Halifax, and the same vessel seldom or never comes a second time.

“Secondly, the vessels are too large, and the risk too great for them to be daily moving about among the different small Harbours, so essential to the proper performance of the duty; and coming as those Vessels generally do, from the West Indies, they are generally and naturally more alarmed at our Fogs than the Masters of Fishing vessels, and others navigating the waters of the Bay of Fundy and Gulph Shore.

“ To remedy this I should propose that the Imperial Government be addressed to send from England four or five Cutters (such as are used on the different Stations there) to be permanently employed on our Coasts, in lieu of the two Men of War already referred to.

“ The expense of all these Vessels would not be more than one of those previously referred to, for a Sloop’s company of the first class would officer and man the whole of them ; and by distributing them during the Winter at the different Towns on the Coast, they would be ready to proceed early in the Spring to their respective Stations, as well as to render during the Winter months, assistance in case of fire, or perform other services that might be required.

“ The Officers commanding these Vessels should be clothed with power from the Lieutenant Governor of the Province for the time being, to assist in carrying into effect the different local laws relative to the Fisheries and Revenue, as well as the Treaties of the Imperial Government.

“ The immense importance also this arrangement would be to the Trade and Navigation of the Province, must not be lost sight of, in saving the crews and property of wrecked vessels, for it is a fact known to every inhabitant of the Bay of Fundy, that the United States Revenue Cutter has assisted nearly every British Vessel in distress for years past.

“ And His Excellency the Lieutenant Governor should be requested to forward a copy of such Address to the Admiral, Commander in Chief of the Station, requesting his advocating the measure ; for every witness examined before this Committee, most distinctly stated, that were the Fisheries effectually protected, they would require no other bounty to compete with their neighbours, the inhabitants of the United States.

(Signed)

J. J. ROBINSON, *Commander R. N.*

Committee Room, 5th April, 1851.”

ORDERED, That the Honorable Mr. Robertson be a Committee on the part of this House, to wait upon His Excellency with the said Address.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the twenty second day of April instant, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 11 o'clock.

FRIDAY, 25th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

*Mr. Saunders,
Mr. Robertson,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

PRAYERS.

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to establish the Road leading from the Great Road running from Fredericton to the Finger Board, at or near James Tilley's, in the Parish of Sheffield, County of Sunbury, to the Great Road running from Fredericton to the Bend of Petitcodiac, as one of the Great Roads of Communication.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to enable certain persons who may have obtained Certificates of Conformity under and by virtue of any Act or Acts of the Legislature of this Province heretofore in force relating to Bankruptcy, to proceed to confirmation of such Certificate or Certificates by application to the Master of the Rolls or Court of Chancery, as provided by the said Act or Acts, or any of them.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows:—

At A in the Title, expunge the remainder of the Title, and insert the words "authorize the confirmation of Certificates of Bankruptcy in certain cases."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to revive and continue certain Acts of Assembly providing for expenses of the Legislature.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

The Honorable Mr. Robertson, from the Committee appointed to prepare an Address to Her Majesty on the subject of an Elective Legislative Council, reported that they had attended to that duty, and presented an Address, which was read by the Clerk.

On the question, whether the said Address should be agreed to, the House divided as follows:—

CONTENT.

CONTENT.

The Hon. Mr. President,
Mr. Saunders,
Mr. Robertson,
Mr. Minchin,
Mr. Harrison,
Mr. Davidson.

NON-CONTENT.

The Hon. Mr. Botsford,
Mr. Hill,
Mr. Brown,
Mr. Connell.

Whereupon it was decided in the affirmative.

The said Address was thereupon agreed to by the House, and is as follows :—

To the Queen's Most Excellent Majesty.

The Humble and Dutiful Address of the Legislative Council of the Province of New Brunswick.

MAY IT PLEASE YOUR MAJESTY,

The Legislative Council of Your Majesty's Province of New Brunswick, beg leave to approach Your Majesty with assurance of unalterable attachment to Your Majesty's person, and devoted adherence to the Constitution under which they have the happiness to live.

The subject of this Address is one of paramount importance to the people of New Brunswick, involving as it does, the present and future prospects of this Province in the adoption or rejection of a measure which contemplates such a serious departure from the principles of the British Constitution.

The Constitution of this Province was intended, so far as circumstances permitted, to be a reflex of the British Constitution, thereby securing to the inhabitants thereof, a Government combining and protecting the interests of all, and securing to every class full Religious, Political, and Civil liberty.

That under this Constitution the North American Colonies have grown up and increased in population and wealth, until they have now become a most important branch of Your Majesty's Colonial Empire.

That with a view to assimilate in a greater degree the Constitution of these Provinces to the Mother Country, Your Majesty extended to them the principles of Responsible Government in their Local affairs; but owing to the adherence of the Popular Branch of the Legislature of this Province to the existing system of initiating Money Grants, Responsible Government has not had a fair trial, even if it should be calculated to promote the harmonious working of the different Branches of the Legislature and the prosperity of the Province.

That in accordance with the principles of the Constitution, this Branch of the Legislature has been selected by the Crown from among influential members of the community, representing as much as possible the various sectional interests of the Province, and at the same time embracing in such selection, members of every Religious denomination. That this Council has hitherto performed its functions with every consideration for the public interest; and while preventing on the one hand improvident expenditure, hasty and imprudent legislation, it has on the other carefully avoided all captious or factious opposition to any well digested measure, when the voice of the country clearly indicated public opinion thereupon.

The

The Address of the Assembly of 1850 complains of the want of means to provide a sufficient check in the Legislative Council to the increased power of *their own body* over the appointments to the Council, and suggests an Elective Council as affording the means for the accomplishment of that end, without going into any detail for that purpose. But the Council are firmly of opinion, that the plan proposed, instead of accomplishing the object, will increase the difficulty, and inevitably produce the evil which they profess to seek to remedy, inasmuch as the plan suggested must end in converting the Legislative Council, now the constitutional check, into a second House of Assembly.

It is also to be remembered that the Address of the Assembly was adopted on the day before the prorogation of the last Session of the General Assembly, immediately preceding the General Election, thus precluding the Council from an opportunity of laying before Your Majesty their opinion upon the grave and important subject of that Address.

That early in this Session, copies of the Correspondence between His Excellency the Lieutenant Governor and Your Majesty's Principal Secretary of State for the Colonies upon this important subject, were laid before the Legislature, and a Bill introduced in this Branch to alter the Constitution of this Province; the provisions of which were directly at variance with the recommendations in the said Correspondence.

That the Council, after a full discussion, and the most careful consideration of the Correspondence already referred to, postponed the measure until next Session of the General Assembly.

That the Council was induced to adopt this course for the following among other reasons:—

That the change contemplated in the Constitution of this Province by the Bill referred to was intended to take effect immediately upon the Act becoming Law; whereas the whole tenor of the Correspondence shews clearly that Your Majesty's advisers recommend, if the principle should be adopted, to introduce it gradually, and with great caution, "without unnecessarily invading existing rights."

That the Country is not prepared for, nor favourable to, such an organic change in the Constitution of this Province; and that in corroboration of which, there is not a single Petition from any portion of the Province in favour of a change, although the Session is now near its close.

That the Council are seriously apprehensive of the ultimate consequences of such a wide departure from the theory of our mixed Institutions, and the adoption of the most democratic principle, for which no precedent is to be found except in the neighbouring Republic; where the Constitution is guarded by checks sufficient at all times to prevent sudden changes thereof from popular excitement or hasty legislation.

The Council are also of opinion, that if the Elective principle is applied to the composition of the Legislative Council, it must soon extend to every office or place within the Province; that Responsible Government must of necessity be abandoned, and Democratic Institutions adopted, and the Constitution be subject to constant changes, unless secured by Imperial enactment.

The Council therefore humbly prays, that Your Majesty may be graciously pleased to take this their Address into serious consideration, and avoid the evil consequences of sudden and serious organic changes.

WILLIAM BLACK, *President Legislative Council.*

Q*

ORDERED,

ORDERED, That the Honorable Messieurs Minchin and Harrison be a Committee to wait upon His Excellency the Lieutenant Governor with the said Address, and to request His Excellency to transmit the same, to be laid at the Foot of the Throne.

A Message was brought from the Assembly by Mr. Robinson, with the following Resolution :—

“ House of Assembly, 25th April, 1851.

“ Resolved, That this House doth agree to the Draft Address, as reported by the Joint Committee of the Honorable the Legislative Council and this House, to Her Most Gracious Majesty, on the subject of protection to be afforded to the Fisheries ; and

“ Ordered, That Mr. Robinson and Mr. Ritchie be a Committee on the part of this House, to join such Committee as may be appointed by the Council, to wait upon His Excellency the Lieutenant Governor with the said Address, and request that His Excellency will be pleased to transmit the same, to be laid at the Foot of the Throne.

CHAS. P. WETMORE, Clerk.”

A Message was brought from the Assembly by Mr. Ryan, with Resolutions of Appropriation dated the twenty third and twenty fourth days of April instant ; also, with a Bill to incorporate the Upham Agricultural Society ; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

On motion—

The House was put into Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation severally dated the twenty second, twenty third and twenty fourth days of April instant, and recommended that the House should concur in the same.

The Chairman further reported, that he was directed to ask leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to provide for laying down of Common Sewers in the City of Saint John.

The

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows :—

At A in Section I. expunge the words "either or."

At B in same Section, expunge the word "assessed."

At C in same Section, expunge the word "assessed."

At D at the end of the Bill, insert as follows :—"And further provided, that no rate or assessment shall be made for any Sewer or Drain, under the provisions of this Act, unless the same shall be not less than five feet high in the clear, and not less than three feet in width in the clear; and that in apportioning such rate, the situation of such Drain, in reference to the expense of entering the same from both sides of the Road, shall be taken into consideration."

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill relating to the levying and collecting Rates in the City and County of Saint John.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows :—

At A in Section IV. insert the words "to the extent of the amount of Stock owned in this Province."

At B Section V. expunge the whole Section.

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill in addition to and declaratory of the meaning of the Acts now in force for establishing a Legal Tender in this Province.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

At A at the end of the Bill, add a new Section, as follows :—

“ II. And be it enacted, That this Act shall not be in force until Her Majesty’s Royal approbation shall be had and declared.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the Bill to incorporate the County of Kent Agricultural Society, and that the House be put into Committee of the whole presently, to take the said Bill, and the Report of the Select Committee thereon, into consideration.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows :—

At A in Section I. expunge the word “ tenth,” and insert the word “ sixth.”

At B in Section II. expunge the remainder of the Section.

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to amend an Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time to-morrow.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report; which was read by the Clerk, as follows :—

The

The Committee to whom were referred all Bills relating to Corporations beg leave to report that they have examined the following Bills, viz:—"A Bill to incorporate the Upham Agricultural Society;"—"A Bill to incorporate the Sussex and Studholm Agricultural Society;" also "A Bill to incorporate the County of Kent Agricultural Society;" and have prepared certain amendments to the said Bills, which they recommend to the favourable consideration of the House.

Respectfully submitted.

Committee Room, April 25, 1851.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the Report be received.

ORDERED, That the Bill to incorporate the Upham Agricultural Society, together with the Report of the Select Committee thereon, be referred to a Committee of the whole House to-morrow.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the Bill to incorporate the Sussex and Studholm Agricultural Society, and that the House be put into Committee of the whole presently, to take the said Bill, and the Report of the Select Committee thereon, into consideration.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows:—

At A in Section II. expunge the remainder of the Section.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

Adjourned until To-morrow at 11 o'clock.

SATURDAY, 26th April, 1851.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Minchin,
Mr. Davidson,
Mr. Odell,*

*Mr. Saunders,
Mr. Solicitor General,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time; and passed:—

A Bill to amend an Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province: A

A Bill to establish the Road leading from the Great Road running from Fredericton to the Finger Board, at or near James Tilley's, in the Parish of Sheffield, County of Sunbury, to the Great Road running from Fredericton to the Bend of Petitcodiac, as one of the Great Roads of Communication :

A Bill to revive and continue certain Acts of Assembly providing for expenses of the Legislature :

A Bill to provide for laying down of Common Sewers in the City of Saint John :

A Bill to incorporate the Sussex and Studholm Agricultural Society :

A Bill in addition to and declaratory of the Acts now in force for establishing a Legal Tender in this Province :

A Bill to incorporate the County of Kent Agricultural Society :

A Bill to enable certain persons who may have obtained Certificates of Conformity under and by virtue of any Act or Acts of the Legislature of this Province heretofore in force relating to Bankruptcy, to proceed to confirmation of such Certificate or Certificates by application to the Master of the Rolls or Court of Chancery, as provided by the said Act or Acts, or any of them : and

A Bill relating to the levying and collecting Rates in the City and County of Saint John.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the three first entered Bills without any amendment ; also, that they have agreed to the six last entered Bills, with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Upham Agricultural Society, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

At A in Section II. expunge the remainder of the Section.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That the same be engrossed, and that the twenty third Rule of this House, as regards the said Bill, be dispensed with, and the said Bill be read a third time presently.

The said Bill, as amended, was read a third time, and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with an amendment, to which they desire the concurrence of the Assembly.

The Honorable Mr. Botsford, from the Joint Committee of this House and the Assembly, appointed to wait upon His Excellency the Lieutenant Governor with the
Address

Address of both Houses to Her Most Gracious Majesty, on the subject of the Fisheries, and to request that His Excellency would be pleased to transmit the same, to be laid at the Foot of the Throne, report that they have attended to that duty, and His Excellency was pleased to say, he was most anxious that everything should be done in aid of the Fisheries, and he will forward the Joint Address of the Legislature by the next Mail.

The Honorable Mr. Connell, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House, relating to Returns by the several Registers of Deeds in this Province, report that they have attended to that duty, and that His Excellency was pleased to say that he would give directions to have the wishes of this House complied with.

A Message was brought from the Assembly by Mr. Gray, with a Bill further to facilitate the construction of the European and North American Railway; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that it be read a second time presently.

The said Bill was read a second time.

ORDERED, That the House be put into Committee of the whole on Monday next, to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Taylor, with Resolutions of Appropriation dated the twenty fifth day of April instant; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the House be put into Committee of the whole presently, to take the said Resolutions into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Resolutions of Appropriation, and recommended that the House should concur in the same.

The Chairman further reported, that the Committee had directed him to ask leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

Adjourned until To-morrow at 11 o'clock.

MONDAY, 28th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Odell,*

*Mr. Saunders,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison,
Mr. Brown,
Mr. Connell.*

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill further to facilitate the construction of the European and North American Railway.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a third time presently.

The said Bill was thereupon read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

A Message was brought from the Assembly by Mr. Needham, that the Assembly had agreed to the amendments sent down from this House to the following Bills :—

A Bill to provide for laying down of Common Sewers in the City of Saint John :
and

A Bill relating to the levying and collecting Rates in the City and County of Saint John.

A Message was brought from the Assembly by Mr. Earle, that the Assembly had agreed to the amendments sent down from this House to the Bill in addition to and declaratory of the meaning of the Acts now in force for establishing a Legal Tender in this Province.

A Message was brought from the Assembly by Mr. Ryan, that the Assembly had agreed to the amendments sent down from this House to the following Bills :—

A Bill to incorporate the Sussex and Studholm Agricultural Society : and

A Bill to incorporate the Upham Agricultural Society.

A Message was brought from the Assembly by Mr. Stiles, that the Assembly had agreed to the amendments sent down from this House to the Bill to enable certain persons who may have obtained Certificates of Conformity under and by virtue of any Act or Acts of the Legislature of this Province heretofore in force relating to Bankruptcy, to proceed to confirmation of such Certificate or Certificates by application to the

the Master of the Rolls or Court of Chancery, as provided by the said Act or Acts, or any of them.

A Message was brought from the Assembly by Mr. M'Phelim, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the County of Kent Agricultural Society.

A Message was brought from the Assembly by Mr. Read, with the following Resolutions :—

“ House of Assembly, 28th April, 1851.

“ Whereas in and by an Act of the Assembly passed the present Session, intituled ‘ An Act imposing Duties for raising a Revenue,’ a Duty of two pence per bushel was imposed on all Wheat imported into this Province : And whereas it was the intention of the House in imposing that Duty, that Canada Flour should be subjected to the same Duty as Foreign, unless imported direct, and a Bill was passed accordingly, which was lost in the Legislative Council : And whereas Canada Flour is now admitted through Bonded Warehouses in the United States, Duty free, as if coming direct : And whereas by the operation of such measure the numerous and costly establishments erected for grinding Wheat in this Province cannot possibly compete with the Flour of Canada so imported, while they are subject to such Duty on Wheat ; therefore

“ *Resolved*, That this House will at its next Session refund any and all Duties paid on Wheat under the operation of the said Revenue Law ; and further

“ *Resolved*, That this Resolution be communicated to the Legislative Council, for their concurrence in the same.

CHAS. P. WETMORE, *Clerk.*”

RESOLVED, That the House do agree to the said Resolutions.

Upon the question, whether the House do reconsider the subject matter of the said Resolutions, the House divided as follows :—

CONTENT.

The Hon. Mr. President,
Mr. Saunders,
Mr. Botsford,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Brown,
Mr. Odell,
Mr. Connell.

NON-CONTENT.

The Hon. Mr. Shore,
Mr. Solicitor General,
Mr. Hazen,
Mr. Harrison.

Therefore it passed in the affirmative ; whereupon

RESOLVED, That this House do reconsider the same ; and further

RESOLVED, That this House doth concur in so much of the Resolution sent up from the Assembly this day, on the subject of the Duty on Wheat, as pledges the Legislature to refund the said Duty imposed by the Revenue Bill ; but with respect to the Preamble of the said Resolution, it dissents, inasmuch as it pledges this House to the intentions of the other Branch of the Legislature, and likewise states that a certain

Bill was lost in the Legislative Council, when it appears by the Journals of this House that the said Bill was amended, and returned to the Assembly for their concurrence.

RESOLVED, That a Select Committee of three Members be appointed to investigate and report upon the Contingent Accounts of this House for the present Session.

ORDERED, That the Honorable Messieurs Botsford, Davidson and Connell do compose the said Committee.

The Honorable the President laid before the House the following Letter from J. Simpson :—

“ Fredericton, 25th April, 1851.

“ SIR,—As it is my intention, should encouragement offer, to publish a Historical and Statistical Work on the Province, of a very large and comprehensive character, I would respectfully beg permission, during the recess, to have access to the Journals and Files of the Honorable the Legislative Council, to aid me in collecting materials for such an undertaking.

I have the honor to be, Sir,

Your most obedient servant,

J. SIMPSON, *Queen's Printer.*

To the Honorable the President of the Legislative Council.”

RESOLVED, That permission be given to Mr. Simpson to have access to the Files and Journals of this House, under such restrictions as His Honor the President may impose.

A Message was brought from the Assembly by Mr. Crane, with a Bill imposing a Duty on Hacmatac or Juniper Knees, Roots and Foothooks exported from this Province; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

The Honorable Mr. Minchin, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address to Her Majesty on the subject of an Elective Legislative Council, reported that they had attended to that duty, and that His Excellency was pleased to say that he would transmit the same by the next Mail.

Adjourned until To-morrow at 11 o'clock.

TUESDAY, 29th April, 1851.

PRESENT :

THE HON.

*Mr. Shore,
Mr. Botsford,
Mr. Minchin,
Mr. Harrison,
Mr. Odell.*

Mr. Black, President.

*Mr. Saunders,
Mr. Solicitor General,
Mr. Hazen,
Mr. Davidson,*

PRAYERS.

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill imposing a Duty on Hacmatac or Juniper Knees, Roots or Foothooks exported from this Province.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the same be read a third time presently.

The said Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill.

A Message was brought from the Assembly by Mr. Needham, with a Bill relative to Recognizances for the appearance of persons on criminal charges; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that it be read a second time presently.

The said Bill was read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time.

The Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

A Message was brought from the Assembly by Mr. Hatheway, with a Bill to suspend an Act, intituled "An Act in addition to and in amendment of the Act relating to the Navigation of the River and Harbour of Saint John," for a limited time; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same, without amendment, to the adoption of the House.

The Chairman further reported, that upon the question, whether the first Section of the Bill do pass, the Committee divided—

CONTENT.

The Hon. Mr. President,
Mr. Shore,
Mr. Botsford,
Mr. Solicitor General,
Mr. Harrison,
Mr. Davidson.

NON-CONTENT.

The Hon. Mr. Minchin,
Mr. Hazen,
Mr. Odell.

It therefore passed in the affirmative.

ORDERED, That the Report be received, and the Bill read a third time.

The said Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Hatheway, with a Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time.

The said Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill.

A Message was brought from the Assembly by Mr. Gray, with a Bill for the protection and regulation of the Sea and River Fisheries of this Province; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently, to take the said Bill into consideration.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made certain amendments thereto, and recommended the said Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows :—

At A in Section I. expunge the word “fifteenth,” and insert the word “thirty first.”

At B insert the word “said.”

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time.

The said Bill, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to this Bill, with certain amendments, to which they desire the concurrence of the Assembly.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon the Contingent Expenses of this House, presented a Report, which he read.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Select Committee appointed to examine and report upon the Contingencies of this House for the present Session, beg leave to report that they have attended to that duty, and find they amount to the sum of Seven hundred and thirty nine pounds ten shillings and six pence; that the several Accounts forming this aggregate are satisfactory, and they recommend the same to be allowed.

Respectfully submitted.

A. E. BOTSFORD,
CHARLES CONNELL,
JAS. DAVIDSON.

Committee Room, April 28, 1851.

RESOLVED, That the Contingent Expenses of this House for the present Session, amount to the sum of Seven hundred and thirty nine pounds ten shillings and six pence.

A Message was brought from the Assembly by Mr. Needham, with the following Resolutions of Appropriation, dated the twenty fifth day of April instant; to which they desire the concurrence of this House :—

To the Postmaster of Fredericton the sum of Six hundred and forty eight pounds eleven shillings and eleven pence, Postages of the Legislature for the present Session, including Journals and Laws :

To the Clerk of the House of Assembly the sum of Two thousand and three pounds thirteen shillings and seven pence, being the Contingencies of the Legislature the present Session.

The said Resolutions being read, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Gray, that the Assembly had agreed to the amendments sent down from this House to the Bill for the protection and regulation of the Sea and River Fisheries of this Province.

A Message was brought from the Assembly by Mr. Ryan, with a Bill to appropriate a part of the Public Revenue for the services therein mentioned ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Robinson, with the following Resolution :—

“ House of Assembly, 29th April, 1851.

“ Whereas this House did, on the twenty eighth instant, pass the following Resolution, viz :—

“ ‘ *Resolved*, That this House would be willing to provide for a retiring allowance of a sum not exceeding Five hundred pounds currency per annum to the Honorable Thomas Baillie, the present Surveyor General, during his life ; and that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to bring the subject under the consideration of Her Majesty’s Government, to enable the Legislature to make the necessary provision for carrying the same into effect at its next Session.’

“ And whereas with a view the better to effect the object contemplated in the above recited Resolution, it is desirable that the Legislative Council should join in such Address, and upon such an arrangement being effected, as contemplated in the said Resolution, it should be deemed and taken as a final settlement of all existing matters of difference between the said Honorable Thomas Baillie and the Government and Legislature of this Province ; therefore

“ *Resolved*, That a copy of this Resolution be communicated to the Honorable the Legislative Council, and that they be requested to join in the above mentioned Address.

CHAS. P. WETMORE, Clerk.”

RESOLVED, That this House do agree to join the Assembly in the said Address, and that the Honorable Mr. Minchin be a Committee on the part of this House to wait upon His Excellency with the same.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

Adjourned until To-morrow at 11 o’clock.

WEDNESDAY, 30th April, 1851.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Minchin,
Mr. Davidson,*

*Mr. Saunders,
Mr. Solicitor General,
Mr. Hazen,
Mr. Odell.*

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to appropriate a part of the Public Revenue for the services therein mentioned.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill read a third time.

The said Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill.

A Message was brought from the Assembly by Mr. Taylor, with the following Resolution :—

“ House of Assembly, 29th April, 1851.

“ Resolved, That Mr. Taylor and Mr. Williston be a Committee on the part of this House, to join the Committee of the Honorable the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the Address on the subject of a retiring allowance to the Honorable Thomas Baillie.

CHAS. P. WETMORE, Clerk.”

The Honorable Mr. Minchin, from the Committee on the part of this House, appointed to wait upon His Excellency the Lieutenant Governor with the Address in reference to a retiring allowance to the Honorable Mr. Baillie, reported that they had attended to that duty, and that His Excellency was pleased to say, that he would communicate with Her Majesty's Government on the subject forthwith.

The House adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and being seated on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honorable the President, to let the Assembly know—“ It is His Excellency's pleasure that they attend him immediately in this House.”

The House attended accordingly.

His Excellency then gave His assent to the following Bills, intituled—

Public General Acts.

An Act imposing a Duty on Hacmatac or Juniper Knees, Roots and Foothooks exported from this Province : An

An Act in addition to and in amendment of the Acts now in force for the collection and protection of the Revenue of this Province :

An Act to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province :

An Act to appropriate a part of the Public Revenue for the services therein mentioned :

An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province :

An Act to revive and continue certain Acts of Assembly providing for expenses of the Legislature :

An Act to consolidate and amend the Laws providing for the maintenance of Light Houses in the Bay of Fundy :

An Act to authorize the issue of Treasury Debentures to raise money for the purpose of being loaned for rebuilding a part of the City of Fredericton destroyed by Fire in the month of November one thousand eight hundred and fifty.

An Act for shortening the language used in Acts of Assembly in this Province :

An Act to amend the Law relative to the administration of Criminal Justice :

An Act in further amendment of the Law :

An Act relative to Recognizances for the appearance of persons on criminal charges :

An Act relating to the Registry of Decrees of Partition made in the Court of Chancery :

An Act to authorize the confirmation of Certificates of Bankruptcy in certain cases :

An Act to secure to Married Women real and personal property held in their own right :

An Act relating to Grand Juries in this Province :

An Act to revive and continue an Act to provide for the better payment of Petit Jurors attending the several Courts of Record in the Province :

An Act to provide for the free transportation of Newspapers and Tracts through this Province, without any imposition of Postage :

An Act to revive and continue an Act to alter and amend the Act to regulate Sales by Public Auction :

An Act to revive and continue an Act to provide for the more effectual prevention of Trespasses and protection of Timber growing on the Crown Lands within this Province :

An Act to amend an Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province :

An Act for the protection and regulation of the Sea and River Fisheries of this Province :

An Act to establish the Road leading from the Great Road running from Fredericton to the Finger Board, at or near James Tilley's, in the Parish of Sheffield, County of Sunbury, to the Great Road running from Fredericton to the Bend of Petitcodiac, as one of the Great Roads of Communication :

An Act to establish the Road from Lower Trout Brook Bridge, on the Great Road between Saint Andrews and Fredericton, to the Town of Magaguadavic, as one of the Great Roads of Communication :

An Act to establish the Road leading from the Baptist Meeting House in the Parish of Upham, in King's County, to the Church in Sussex Vale, as one of the Great Roads of Communication :

An

An Act in further amendment of an Act, intituled "An Act for granting Patents for useful Inventions.

And to the following Bills, with suspending clauses :—

An Act further to facilitate the construction of the European and North American Railway :

An Act in addition to and declaratory of the Acts now in force for establishing a Legal Tender in this Province :

An Act to provide for the establishment of Municipal Authorities in this Province :

An Act in amendment of an Act, intituled "An Act for the better prevention of Illicit Trade :"

An Act to abolish the Fees now received by the Judges of the Supreme Court :

An Act to suspend the operation of certain provisions of the Militia Laws :

An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province.

Local Acts.

An Act to repeal the several Acts to incorporate the City of Fredericton, and to make other provisions in lieu thereof :

An Act relating to the levying and collecting Rates in the City and County of Saint John :

An Act relating to the Navigation of the River and Harbour of Saint John :

An Act to suspend an Act, intituled "An Act in addition to and in amendment of the Act relating to the Navigation of the River and Harbour of Saint John," for a limited period :

An Act to provide for laying down of Common Sewers in the City of Saint John :

An Act relating to the appointment of the Gaoler of the Gaol of the City and County of Saint John.

Private or Personal Acts.

An Act to amend an Act relating to Churches erected or to be erected in this Province, in connexion with the established Church of Scotland :

An Act to incorporate within this Province the British North American Electric Telegraph Association :

An Act to incorporate the Northumberland Straits Fishing Company :

An Act to incorporate the Musquash and Digdeguash Brook River Driving Company :

An Act to incorporate the Upham Agricultural Society :

An Act to incorporate the County of Kent Agricultural Society :

An Act to incorporate the Sussex and Studholm Agricultural Society :

An Act to incorporate the Grand Lake, Queen's County, Agricultural Society :

An Act to incorporate the Simonds Agricultural Society.

His Excellency was then pleased to deliver the following Speech :—

"Mr. President, and Honorable Gentlemen of the Legislative Council,

"Mr. Speaker, and Gentlemen of the House of Assembly,

"I thank you for the exertions which you made during the present Session for the Public welfare. I trust that your measures in aid of the construction of Railways may be successful in promoting these important undertakings. " You

“ You have no doubt judged wisely in postponing the Bill for the regulation of Common Schools until the next Session. The subject is too important to be dealt with hastily, and you will thus have full time for consideration of the details.

“ I rejoice sincerely to find that the first step has been made towards the general introduction of Municipal Institutions throughout the Province.

“ Mr. Speaker, and Gentlemen of the House of Assembly,

“ I thank you for the Supplies which you have granted for the Public Service. I trust that the Revenue Act, being passed for four years, will be satisfactory to the Mercantile part of the Community. It shall be my business to take care that the Public Funds are applied in conformity with your wishes.

“ Mr. President, and Honorable Gentlemen of the Legislative Council,

“ Mr. Speaker, and Gentlemen of the House of Assembly,

“ Your labours have kept you at the Seat of Government beyond the usual date. I hope that the occupations which await you at home may not be interfered with by this detention, and that Providence may again bless the labours of our Farmers with an abundant return.”

After which, the Honorable Mr. Black, the President of the Council, by His Excellency's command, declared the General Assembly prorogued until the last Tuesday in June next.

G. BOTSFORD, *Clerk.*

APPENDIX.

No. 1.

[See Journal 24th February 1851.]

Report from Commissioners of Provincial Lunatic Asylum for the Year 1850.

To His Excellency Sir Edmund Walker Head, Baronet, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The Commissioners of the Provincial Lunatic Asylum herewith enclose their Account of Receipts and Expenditure for this Institution for the year ending the 31st December 1850.

The Receipts are—For Warrant on the Treasury, £2,400; of paying Patients, £115 5 8; Balance of last year, £38 10 2: amounting to £2,553 15 10.

The Expenditure was—For Food, £887 19 2; Clothing, £96 2 4; Officers and Servants, £677 6 4; Building and Improvements, £480 13 2; Fuel, £106 2 6; Furniture, £207 1s.; Miscellaneous, £41 8 6: amounting to £2,496 13s. Balance in hands of Commissioners, £57 2 10.

Credit the amount paid by paying Patients, £115 5 8, from the amount of expenditure, £2,496 13s., leaves the net cost for support and maintenance for the past year £2,381 7 4.

A further outlay will be required this year for a Barn, Root House, and improvements on the grounds; the return from these will in a short time more than repay the cost. An additional supply of Water is also required. The Commissioners therefore estimate the cost for the current year at not less than £2,400; and have to request that £600 may be placed at their disposal quarterly to meet the expenditure.

The Commissioners have much pleasure in reporting the now serviceable state of this Institution, and the high character it is obtaining under the able superintendence of Doctor Waddell, whose Report and Return is herewith enclosed. As this Report fully embraces all the details, the Commissioners think it unnecessary to again go over these, except in so far as to state the pressing necessity of providing further accommodation for Pauper Lunatics; they are now crowded with males and females placed in the same building.

All which is respectfully submitted:

JOHN WARD,
F. A. WIGGINS,
J. SIMPSON,
WM. OLIVE,
ROBERT F. HAZEN,
P. BESNARD,
L. A. WILMOT.

Saint John, N. B., 1st January, 1851.

Report from the Medical Superintendent of the Provincial Lunatic Asylum.

The close of the year is generally regarded by reflecting minds as a proper season for thoughtfulness. To review the past is calculated in an eminent degree to promote improvement. Errors are frequently committed by those who possess great talent and distinguished ability, while success sometimes crowns very humble exertions. It is our highest wisdom to allow these results to influence our conduct,—the one to serve as a beacon to warn, the other as a light to guide on our journey through the mazes of that future which still lies before us. It seems a wise arrangement that the close of the year, by general consent, should be fixed upon as a fit time for the discharge of duties so important. Annual revolutions may very justly be considered as so many stages on the journey of life, at which we should acknowledge the invisible hand that has led us, as well as to refresh for further labour.

To my own mind I know of nothing more calculated to bring home with force the brevity of human existence than to mark the extreme rapidity with which a year passes. Multiply these very short periods of time by the largest number which you can imagine the most healthful organism to carry on the machinery of life, and what is it?—"It is even a vapour." If then we would leave a trace of our existence in the improvement of the society with which we mingle, or by promoting the welfare of the Institutions in the land in which we dwell, it is absolutely necessary that our actions be at once decided and energetic.

Public Benevolent Institutions may, like individuals, be regarded as having interests peculiarly their own; and at a season such as the present it is our highest wisdom to review our conduct in reference to their management. If we have, by ought that we have done, injured them, it is our duty to retrace our steps with all possible haste, and to the extent of our means repair the evil; and if on the contrary we have been instrumental in the hands of a kind Providence of doing any thing calculated to elevate and improve, let us acknowledge the good hand of God upon us, and be encouraged for renewed and increased exertion.

These remarks seem appropriate as introductory to the Report which it is my duty now to present, of the Provincial Lunatic Asylum for the year just ended.

In the paper which I had the honor to lay before you last year, I stated that at the end of December 1849, there were 92 Patients in the Institution,—48 were females, and 44 were males. Of the 92 old cases, there still remain 75—40 females and 35 males: one of these, a female quite recovered from her mental ailment, but being the subject of partial paralysis, she is not in a condition to be discharged to seek a livelihood for herself, and her friends are unable to provide for her. I have been in correspondence with the Clergyman in the Parish from which she comes, and he is very kindly interesting himself in her behalf, and I hope that in the Spring I shall get her sent to her family, if nothing can be done sooner. In connexion with this case I beg to suggest that some law should be made to bind the authorities who commit such persons for treatment to receive them off our hands when they recover; for situated as we are at present, we are obliged either to keep and provide for them, increasing our expenses and occupying our room, or to cast them abroad in the world to be thrown again back upon us in a worse condition than before, induced by hardships to which they would be necessarily subjected. Of the 74 there are 55 returned on
our

our Brief Statement as unimproved; and their chances of improvement becoming less and less as time wears away. Of the remaining 19, 17 are returned as improved, and 2 much improved; of these 19 some hopes may be entertained that they may ultimately recover, but it would be too sanguine an opinion to give that they would all likely be restored, so that the largest number of these 74 may be accounted as persons dependent on your charity for life, and they are just that class of persons, where there is no institution such as this, who are roaming abroad suffering those privations incident to their unfortunate condition, or what is worse, confined in places altogether unfit for their treatment. Here I may remark, that in a country so situated, the number of the insane must rapidly increase, and those that are treated must be sent abroad at great expense; and this expensive expedient is too frequently not resorted to until every resource has been exhausted at home, valuable time lost, and the poor patient becomes a wreck for life. In justice however to this large class, it is my duty to say that many of them are doing us good service in assisting to carry on the work in which we are constantly engaged; and some of the number by their labour, so long as they are able to perform it, quite repay us for all that they receive, and this remark applies to females as well as to males, and this is a circumstance that ought always to be taken into account when looking at the figures representing our expenditures, for our improvements ought at the same time to command attention. Those who have been discharged from the list of last year, as you will perceive by reference to the statement, are 9 recovered, 3 much improved, 3 died. The only remark that I have to make on these statistics is on the amount of mortality,—3 deaths out of 92 old cases, and all among those of the longest standing on our record; one say 13, one 9, and the other upwards of 3, making an average of 8 years to each; this I consider a remarkable fact.

By reference to the same statement you will find that we have admitted during the year 59 cases—37 males and 22 females. Of these there have been discharged *recovered*, 14 males and 11 females; *much improved*, 5 males and 2 females; *improved*, 1 female; and *unimproved*, 4 males. Of these four is the case of the man with the tumour in the eye, to which I referred in my Report of last year. The same opinion that I then expressed, I gave in a letter addressed to his father, that in an operation lay his only hope. The father came immediately to see me, and after talking the nature of the case over with him, and after consulting the Commissioner for the month on the propriety of operating in the Asylum, whose opinion it was that a surgical operation should not be done there, the father called in Doctors Robert and William Bayard in consultation, who agreed in the opinion that an operation was necessary. The young man was then discharged to his father, who removed him to the City, where the tumour was very skilfully extirpated by Doctor William Bayard, and the operation was followed by the most happy results. The young man is at work in the country, enjoying health of body and soundness of mind. Out of all the admissions of the year we have remaining only 11 unimproved; two of these were admitted during the last week, consequently too late to know the result of treatment; and among the remaining 9, two are old cases that had been before in the Asylum. And the most remarkable fact in reference to this class of statistics is, that we have had no deaths among those admitted during the year.

The medical treatment of the insane I have conducted on the same general principles that

that I was accustomed to adopt in private practice. I soon discovered however that in most cases they required much larger doses than I have been in the habit of prescribing. I have used as little medicine as possible, never however failing to resort to it in cases where in my judgment insanity depended on physical disease. In such cases I have obtained from it its usual beneficial results. The moral treatment is based on kindness, and it is our constant aim to surround our patients with as many agreeable influences as are in our power. But I regret that our means are so limited. We have no Chapel for religious services, and no halls, such as are intended to be in the wings, for social parties and indoor amusements. Our Library too is not so varied as is desirable, to be well adapted for the use of our patients. Outside we have no ten-pin alley, and no arrangements for amusing and healthful recreations, the influence of which enters so largely into this branch of our treatment, and which abound at all the best establishments of the kind in the United States; and I beg to solicit your attention to these deficiencies in any plans that you may have for consideration for future improvement. I have already mentioned that many of our patients assist us to a very considerable extent in carrying on our work. Labour well directed may be regarded as a most valuable agent in treating the insane. A large number of the old cases in every community where there is no institution for their treatment, enjoy a very large amount of health, and many of them a high degree of energy, and their insanity appears in their directing these in a wrong channel, and wasting them upon improper objects. Some imagine themselves engaged in an extensive enterprise, and day and night they exhaust themselves running from house to house explaining the nature of their scheme and its bearing on their own and others interests. Others seem entirely bent on working mischief, and they wander from place to place most industriously engaged in their favourite pursuit. Others again, almost invariably in good circumstances, become the unfortunate subjects of a delusion that they are becoming poor, and that absolute want will ere long overtake them, and that they and their family will ultimately come to ruin. This latter class is exceedingly troublesome; they give no sleep to their own eyes nor slumber to their eyelids, but night and day alike driven on by this imaginary monster want, they bustle at home, bargain with their neighbours, and wander abroad in search of gain, keeping their family in tyranny, their neighbourhood in hot water, and the whole community in an uproar. Now so long as such persons are permitted to go at large, so long will they continue the bent of their own wrong inclinations, till they absolutely exhaust the powers of nature, and then follows a period of torpidity, which continues till the system rallies, when again they appear in all their former activity to go the same rounds, and in turn to be followed by the same results, till at length they become prematurely worn out, and may be seen lying wrecks on the surface of society. To meet the wants of these cases the restraints of an Asylum are admirably adapted. There the causes of excitement no longer exist. They are confined to one set of companions, and these companions generally not of a kind to keep up excitement, for each has his own hobby and peculiar troubles, and enough to do to attend to himself. But restraint is not the only thing necessary in such cases; some vent must be given to exalted energy; and hence the value of labour, regulated in kind and degree by the will of another; and when judiciously managed it is surprising how soon its beneficial influences may be observed, and how soon in an institution such as this it becomes habit.

habit. Prompted by these views, I have been enabled during the past year to get a large amount of useful and profitable labour performed, while I have had the high satisfaction of dispelling the mistaken views and regulating the misguided conduct of a number of persons now at home, discharging the functions and enjoying the reputation of good members of society.

Mechanical restraints we have as far as possible abandoned. There do however occur cases where it is necessary to resort to it, and in such cases its use may be considered as kindness. If my views were to become so modified that I would be disposed to do away with it altogether, it would be impracticable in an institution so incomplete as ours. But I must confess that I can scarcely conceive of one so perfect in all its parts that the entire yielding of mechanical restraint would be any thing but a sacrifice ; its indiscriminate and frequent use I can however regard in no other light than that of cruelty.

Diet.—To this I have been particularly careful that it has been both sufficient in quantity, and wholesome and nutritious in quality. In general I am inclined to think that the insane require more nourishment than persons in health.

Cleanliness.—This has had our especial attention, for the state of the skin has much to do with those diseases on which insanity depends ; and the tidyness and comfort of their apartments exercise a powerful moral influence.

Sleep.—Retiring early to rest I have as a general rule insisted on, believing that sleep for the insane is one of the very best restoratives, and regularity of retiring is one of the best means to insure it.

Trusting that it may not be regarded out of place, I beg to make a remark or two in reference to my views on the subject of temperance, and the bearing of these views on the discharge of my duties as a public officer. Long ago I arrived at the conclusion that alcoholic stimulants in all their forms, when resorted to in a state of health, were useless, and to me at least injurious ; and being deeply imbued with this feeling, I determined to act on the principle of total abstinence, and to exert my influence to induce others to act with me. The means I used was the simple machinery of the temperance organization, with which, in all its modifications, I have been identified for nearly twenty years. As a Medical practitioner, however, I have ever entertained the opinion, that alcoholic stimulants should have a place on the shelf of the Apothecary, and I am free to admit that in the present state of my knowledge there is nothing that I would be willing to place there as a substitute, and I have from first to last been accustomed to prescribe them, so far as regards conscientious scruples, as freely as if I had no connexion with the temperance movement. Entertaining these views, I am quite sure that it will be quite gratifying to you to learn that I have accomplished the work of the year, having had under treatment 151 patients, and have used but about one quart each of brandy and wine. Let it not be supposed that I have been dealing in "infinitismals," when I speak of so small a quantity in connexion with so large a number of patients, for I would prescribe if required a pound as readily as an ounce. The truth is, the cases requiring these remedies are rare, and I would consider it wrong not to avail myself of their medicinal virtues in the few cases in which they are applicable, because I believe their influence on the system in a state of health to be vicious.

Incurable paralytics and idiotic persons are being sent to us, and have encroached upon the accommodations designed for the insane, till the evil has assumed a form that requires a remedy. It is quite possible that the reason why such persons are sent here is that they may cease to be a burden on the Parish to which they belong. If the object of our institution were correctly understood, and sufficiently appreciated, and if those who have the power to send them were guided by proper feelings, they would rather protect us from, than impose upon us such cases. The golden rule would I think operate well under such circumstances. Let any one put the question to himself—If Providence were to afflict me with insanity, would I like to be confined in a Ward perhaps already overcrowded with persons who from the effects of incurable disease are deprived of the power, to say nothing of the will, of attending to the ordinary decencies of life? Now this is just what happens with us in our present circumstances. If a patient be sent to us in a state of violent excitement, no matter how respectable he may be, or what luxuries he may have enjoyed at home, he must be confined in the lodge where these persons are; for in the centre building we have not the means to restrain him, so that he, his attendant, and the building, may be safe. That part of the establishment was not designed for such a purpose, and at present affords no such accommodation. How painful the sight to witness respectable persons who have been accustomed to the comforts and even the elegancies of life, peeping as it were through the dark cloud in which their intellectual faculties have been enshrouded, to look upon a scene partly made up by objects so disgusting, they naturally shrink back and plunge deeper into the gloom from which they were emerging, and reason even in their madness that that state which makes them imaginary princes or heroes is preferable to that. It will be long ere the effect is lost upon my own mind of an exclamation made by a gentleman under the circumstances I have just described. Worn out by excitement, his whole body as it were a bundle of irritability and sensitiveness, his reason dawning; I say it will be long before I forget an exclamation of his when realizing the full effects of these influences,—“I wish to God I were mad, then I should be happy!” In the name then of our common humanity, I beg your generous interference to put a stop to this crying evil at once and for ever. Let these poor unfortunate persons be removed to some other institution, where they may be made as comfortable as the nature of their circumstances will permit; or let separate accommodation be provided for them here, that they may no longer by their presence operate as a dead weight on our curative treatment of the insane. By every means in my power I have endeavoured to bring to the notice of the public the defective state of the Institution, for the want of sufficient accommodation. Visitors, Grand Juries, Editors of the City Press, all have inspected our several Wards, and observed their crowded state, and the difficulties in management arising out of that circumstance. And Grand Juries and Editors have alike pointed out the necessity for increased accommodation; and for their kindness in doing so, I beg to thank them. And His Excellency the Lieutenant Governor, when inspecting the establishment, left a Memorandum in our Visitors' Book, of which the following is a copy:—“I am much pleased with the order, cleanliness and general management of this establishment; whilst I regret that the part of the original design not being completed, interferes in some degree with the requisite accommodation of the patients, and compels rooms to be occupied and even crowded, which are hardly fit for the
reception

reception of patients."—The evil nevertheless still exists, and it is painfully felt in our utter inability properly to classify our patients. For this evil there is only one remedy, and it lies in completing the original design of the institution, by building the wings and another lodge.

While I have thus pointed out defects in our institution, it is but right that I should notice what is creditable. While our lodge is crowded, and while there are in other parts of the establishment more patients perhaps than ought to be, we have elegant apartments in the centre building equal to any thing of the kind I believe on the Continent of America, some of which are vacant, while the class of persons for whom they were designed are spending their means in the support of foreign institutions. For a few persons whose disease has become chronic, who are kind and gentle, and who require a comfortable and respectable home, we have just the accommodations they would like, where they might live in a style equal to the requirements of our best classes, and at an expense as reasonable as accommodations of the kind can be obtained in the United States. But I must admit that I have but little hope of seeing these apartments profitably occupied, while our pauper and non-paying patients occupy the Chapel on the same flat, and the rooms on the flat just over them, while the same stairs must be used for all;—there is too near a proximity to suit our better classes. While in the States last Summer, I found patients in the institutions there from New Brunswick and Nova Scotia, paying for accommodations an amount of money not far short of, if not equal to, that which it costs to support this institution. There were no less than twenty in the M'Lean Asylum near Boston. It is perfectly evident then, that a large amount of means is withdrawn from these Provinces to support similar establishments abroad. Is it not then, may I ask, poor economy for the inhabitants of this Province, while they allow themselves to be so largely taxed for the support of the poor insane, to allow those who are able to pay, for the want of accommodation suitable to their tastes, to go abroad to spend their means in support of foreign institutions, when the amount so spent would go far to make their own self-sustaining. Surely the policy is bad, and the sooner it is rectified the better, and I confidently trust and hope that correct views on this point will induce those who have the power to put this establishment in an efficient working condition ample for the accommodation of all classes, high as well as low.

The following extract from a letter of 30th July last, from Dr. Ray, of the Butler Hospital, appears apropos:—

"I hope your people will see the propriety of placing your institution on a respectable footing, regarded as a matter of policy; so long as the better class of patients shun it, so long will it be merely a pauper establishment, and though a valuable institution for paupers, it will furnish no relief to any class who are able and willing to pay; they will be obliged as much as ever to incur the serious expense of placing their patients in Hospitals abroad, while they contribute to the support of their own Hospital at home. I trust they will ere long see the matter in its true light."

As the Provincial Lunatic Asylum is designed to be a permanent Institution, it is but right that we have respect to the probable future wants of the country; and occupying the position that I do, I feel that it is proper that such ability as I may possess should be devoted to shape it to meet those wants. It is the opinion of those best informed on the subject that the Province is rich in undeveloped resources, and that

it

it is on the very eve of having pass through it a great international highway, and that it is destined at no very distant day to support a numerous and busy population. In this opinion I entirely concur. But before anything great can be accomplished for this country there must be a population to do the work. The opening up of our mines, and working the minerals, and constructing our Rail Road, would require a great accession to our population, and the history of the experience of our neighbours in the United States should guide us here. There the stream of emigration which their great public works attracted to their shores was composed of the sick and the weakly as well as the healthy and vigorous, and that has proved a prolific source whence their benevolent public institutions have been peopled. The same results may very reasonably be anticipated here ; besides, the new impulse which such great works will impart to the latent energies of a hitherto quiet population, will contribute largely, I have no doubt, to the production of mental disease. It is probable that to this cause more than to any other the great increase of insanity in those countries where Rail Roads and other great public works are revolutionizing the business transactions, and overstimulating the energies of the people, may be attributed. Against all such contingencies, then, it is but prudent we should be provided ; and I beg to submit, whether this should not be regarded as an additional reason for increasing our accommodation with as little delay as possible.

During the year, I have somewhat freely opened the doors to visitors, and it has afforded me much pleasure to communicate such facts to respectable persons from all parts of the country, relating to our management, as I thought would be gratifying to them to know, and I am not aware of any evil consequences having resulted from the course which I pursued in this particular.

I was anxious, for two reasons, that the real state of the institution should be known by those who took an interest in it. First, that they should be made acquainted with our mode of working the machinery which we have ; and secondly, that they should be informed as to what we still require, and in this way secure their countenance and aid in carrying on our benevolent operations. I am fully aware that it is impolitic to attempt to proceed in advance of the people of any country in developing its public institutions. But I am quite satisfied that if the real position and true wants of the Asylum for the insane were fully brought to the notice of the people of this Province, they would with one voice vote us the means of its immediate completion. In June last I had the privilege to meet, in convention at Boston, Superintendents of some twenty six Asylums for the insane ; at the meeting most of the leading questions touching the accommodations, management, treatment, both moral and medical of the insane, were fully discussed ; practical as well as theoretical views were elicited from all parties, and made common stock. The meeting was most interesting, and highly useful and pleasing circumstances in connexion with it, were the unbounded civility of the Civic Authorities, in their official capacity, to the Association as a body, and the gentlemanly and polite bearing of the American members to Doctor Douglas, of Quebec, and myself, the only representatives there of British Provincial Institutions. After the Convention adjourned I proceeded to visit some of the most interesting Asylums in that country, beside those at Somerville and South Boston—the former under the superintendence of Doctor Bell, and the latter under that of Doctor Steadman. I went to Providence, Rhode Island, to visit the Butler Hospital, under the superintendence

tendence of the justly celebrated Doctor Ray. This Institution had for me an especial interest, as it is the one of which ours is a copy. I was struck, however, with the great difference that exists in many respects between that fine establishment and our own. The building was complete—wings, lodges, and all,—and there were but 110 patients occupying those ample accommodations; while we, with the centre building and one lodge, being minus both wings and one lodge, accommodate 95 upon an average throughout the year, and frequently have over 100. There was another arrangement in which we contrasted most unfavourably with them,—while we have but three male attendants, and one of these our engineer, and four female attendants, they had six of each, male and female, with a supervisor of each sex, to superintend the performance of the duties of the attendants.

From Providence I proceeded to Worcester Hospital for the Insane, under the superintendence of Doctor Chandler; thence to Retreat, at Hartford, under Doctor Butler; thence to Bloomingdale, under Doctor Nicholls; Flushing Sandford Hall, under Doctor Ruel; the New York City Asylum, Blackwell's Island, under Doctor Ranney; State Lunatic Asylum, Trenton, New Jersey, under Doctor Buttolph; Philadelphia Hospital, Blockley, under Doctor Heanes; Friends Asylum for the Insane, Frankford, Pa., under Doctor Worthington; Pennsylvania Hospital for the Insane, under Doctor Kirkbride; at all these Institutions I was cordially welcomed and politely entertained, and from the Medical gentlemen in charge, as well as from other officers, I received the utmost attention, every thing was done that I could desire to promote the object of my mission.

To all those gentlemen I owe a lasting debt of gratitude, and the new friendships which I had the pleasure to form will be among my most enduring.

During my absence to the States my place was filled up by your appointment by Doctor John Boyd, of the City, and the kind and gentlemanly manner in which he discharged his duty, which was most faithfully performed, has made him quite a favourite among both patients and attendants. The Chaplaincy being vacant, it may be a matter of interest to know how I have managed under the circumstances. I have already informed you that we have had three deaths, one of these was a member of a family who, when informed of the event, removed the body and buried it themselves; another being a Methodist, the Rev. Mr. Daniel was requested to attend the funeral; the other being an Episcopalian, the Reverend Mr. Coster was invited to do that duty; both of whom very kindly consented. The Reverend Mr. Daniel, Wesleyan, the Reverend Robert Irvine, Presbyterian, the Reverend Mr. Harris, Baptist, have each preached once for us. To all these Reverend Gentlemen we are under obligations, and they are hereby most gratefully acknowledged. To the Clergy of all Denominations alike, I freely open the doors for them to visit the sick, and they have all very promptly attended when requested.

To His Honor Mr. Justice Parker, we owe a contribution from the Bible Society of Bibles and Testaments, and from the Church Society a contribution of Common Prayer Books, and from his own Library a lot of Penny Magazines; these Books have been much used and highly valued, and to His Honor the Judge we beg to tender our thanks.

To the Proprietors of the "Halifax Guardian," through the kindness of George E. Morton, Esquire, to the Proprietor of the "Free Church Witness," through the kind-

ness of William Murray, Esquire, and to the Proprietors of the "Christian Visitor," through the kindness of N. S. Demill, Esquire, are we indebted for their respective Papers; they will please accept our thanks.

The building is I believe in as good order from the roof to the basement, as it can well be under our present arrangements; there is scarcely a room in our whole establishment that has not had something added in the course of the year, which has materially increased our expenses, but has to the full extent increased the value of the property and comfort of the inmates; and the Chapel to which I called your attention last year, as being in a bad state for a ward, has been improved, till it is now one of the most commodious and every way most comfortable wards in the institution. The farm, orchard, and pleasure grounds have been improved considerably. The farm to such an extent as will involve the necessity for the erection of a large barn, with cellar for vegetables, and a piggery. The crop of the last year consisted chiefly of oats, turnips, and potatoes, which has to some extent reduced our expenditures for these supplies, besides the straw has saved us an outlay for that article.

In review of all that has passed under my observation in reference to the Provincial Lunatic Asylum, I think we have much for which to be grateful; no accident has occurred of any serious nature, and an amount of general comfort quite equal to what under the circumstances could reasonably have been anticipated, has been secured. Some of our patients have been restored to their friends and to usefulness, others have been prevented from injuring themselves, and other some have been kindly nursed in sickness who had no friends of their own to attend them, while others still have had their sorrows soothed by all the kindness that they could have enjoyed in the midst of their own friends, and have gone down to the tomb, while a large number are enjoying a comfortable home and good health. While this was in being accomplished here, the community has been freed from the trouble that would have resulted from our patients being at large; and private families have been relieved from burdens that they were ill able to sustain; and when all this is compared with the state of the country without such an institution, and it is only then that the aggregate of the good that we have accomplished swells into its own real importance. While I thank the Commissioners for their kind assistance and valuable councils, and here I include Wm. Jack and A. Campbell, Esquires, who have retired, I feel it but due to the officers, attendants and servants, who have assisted me in carrying on the work, to say, that for the most part I have been highly pleased with their industry and faithfulness; and now, with a heart overflowing with gratitude to the Great Giver of all good for bringing us to the close of another year under such favourable circumstances, I pass from its duties with renewed energies and greater experience to enter upon those of a new year.

JOHN WADDELL,
Medical Superintendent.

Saint John, N. B., 1st January, 1851.

BRIEF STATEMENT.

	No. and Sex of Patients.			Result of Treatment.													
	M.	F.	Total.	Recovered.	Discharged.						Died.	Eloped.	Total remain'g				
					To Friends.												
					Much Imp'd	Improved.	Unimproved										
M	F	M	F	M	F	M	F	M	F	M	F	Total.					
Old cases in Asylum 1st January, 1850.	44	48	92	5	4	1	2	1	1	0	0	2	1	0	35	40	75
Admitted since 1st January,	37	22	59	14	11	5	2	0	1	4	0	0	0	1	13	8	21
	81	70	151	19	15	6	4	1	2	4	0	2	1	1	48	48	96

Remaining at 31st December, 1850, and in what condition.

	No. and Sex of Patients			State and condition.										
	M.	F.	Total.	Recover'd	Much Improved.		Improved.		Unimpr'd		Remaining.			
					M.	F.	M.	F.	M.	F.	M.	F.	Total.	
					M.	F.	M.	F.	M.	F.	M.	F.	Total.	
Old Cases,	35	40	75	0	1	2	0	10	7	23	32	35	40	75
New Cases,	13	8	21	0	0	0	0	6	4	7	4	13	8	21
	48	48	96	0	1	2	0	16	11	30	36	48	48	96

Number of Patients in Asylum at first of each Month.

Jan.		Feb.		Mar.		April.		May.		June.		July.		Aug.		Sept.		Oct.		Nov.		Dec.	
M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
44	48	48	48	50	50	49	47	47	48	50	48	50	47	46	46	44	47	45	48	46	47	47	46
92		96		100		96		95		98		97		92		91		93		93		93	

Number of Patients from each County.

Charlotte, 26; Carleton, 7; Gloucester, 2; Kent, 4; King's, 8; Northumberland, 7; Queen's, 1; Sunbury, 2; Saint John, 69; Westmorland, 7; York, 18.—Total, 151.

JOHN WADDELL, *Medical Superintendent.*

Abstract of the total Expenditure on the Provincial Lunatic Asylum for the Year ending 31st December, 1850.

	Food.	Clothing.	Salaries and Wages.	Building.	Furniture	Grounds.	Fuel.	Miscellaneous.	Total.
First Quarter ending the 31st March,	209 12	237 13	6169 19 0	38 12 4	95 10 11	33 17 8	12 7 6	7 12 11	605 6 0
Second Quarter ending the 30th June,	231 9 0	15 13 4	174 11 8	192 10 1	26 15 1	71 12 11	0 0 0	13 3 2	725 15 3
Third Quarter ending the 30th September,	221 1 8	4 12 5	170 0 2	32 11 10	21 9 1	16 16 6	59 7 6	11 12 0	537 11 2
Fourth Quarter ending the 31st December,	225 16	433 3 1	162 15 6	52 0 2	63 5 11	42 11 8	34 7 6	9 0 5	628 0 7
	£887 19	296 2	4677 6	4315 14	5207 1 0	164 18 9	106 2	641 8 6	2496 13 0

RECAPITULATION.

Food,	..	..	..	..	..	..	..	..	..	£887 19 2
Clothing,	..	..	..	..	..	..	..	..	..	96 2 4
Salaries and Wages,	..	..	..	..	..	..	..	..	..	677 6 4
Fuel,	..	..	..	..	..	..	..	..	..	106 2 6
Miscellaneous,	..	..	..	..	..	..	..	..	..	41 8 6
										<u>£1,808 18 10</u>
Building,	..	..	..	..	..	..	..	..	..	£315 14 5
Furniture,	..	..	..	..	..	..	..	..	..	207 1 0
Grounds,	..	..	..	..	..	..	..	..	..	164 18 9
										<u>687 14 2</u>
Total,	..	..	..	..	..	..	..	..	..	<u>£2,496 13 0</u>

Saint John, N.B., 31st December, 1850.

JOHN C. WARD, *Secretary.*

Return from Commissioners of Portland Police for 1850.

We, the undersigned Commissioners of Police in the Parish of Portland, report for the information of His Excellency the Lieutenant Governor and the Legislature,—

That the Police Establishment in Portland remains in all respects the same as last year. The Police Magistrate, and the Police Force under him, have performed their duties in a satisfactory manner.

We estimated the expense of maintaining the Police Force and Establishment from 1st April, 1850, to 1st April, 1851, at £591, the same as the year before.

The balance on hand being less on the 1st January, 1850, than it was on the 1st January, 1849, by the sum of £40 19 1, we thought it advisable to make a larger assessment for the year ending 1st April, 1851, than we did for the year previous, and accordingly made our Order to the Assessors for the year ending as aforesaid, £80 more than for the year 1849, which we did not consider will be more than will be required to the 1st April next. The assessment ordered on the 1st May last was therefore £450, it was £370 on the 1st May, 1849.

Messrs. George Young, Alexander M^r.L. Seeley, and Richard Dalton, were at the same time re-appointed Assessors, and Francis S. Jones re-appointed Collector for the current year.

The accompanying Account will shew the particulars of the Receipts and Expenditure from 1st January, 1850, to the 31st December, both days inclusive.

Respectfully submitted.

CHARLES SIMONDS,
THOMAS ALLAN,
Commissioners of Police in Portland.

January 1, 1851.

Portland Police in Account with the Commissioners of Police.

1850.		Dr.			
Jan.	2.	To	Wages of Police Force to 1st instant,	....	£31 12 6
"	2.		Salary of Police Magistrate to 1st instant,	....	25 0 0
Feb.	1.		Wages of Police Force to date,	....	31 12 6
Mar.	2.		Do. to 1st instant,	....	30 10 0
April	1.		Do. to date,	....	31 9 2
"	"		Salary of Police Magistrate to date,	....	25 0 0
"	12.		Gas Light Company to 10th March last,	....	16 10 0
May	1.		Wages of Police Force to date,	....	31 7 6
"	"		Stationery, £8 15 7; Law charges, £2 6 8; Office		
"	"		Rent to date, £9,	....	20 2 3
"	"		Account for Coals, Chair for Office, &c. &c.,	....	7 13 7
June	1.		Wages of Police Force to date,	....	30 14 2
"	"		3 Chaldrons Coal and Cartage,	....	4 1 10
"	3.		Assessors Fees to R. Dalton,	....	15 0 0
"	24,		Gas Light Company to 10th instant,	....	16 10 0
					<hr/>
				Carried forward,	£317 3 6

1850.		<i>Brought forward,</i>	£317 3 6
July 1.	Wages of Police Force to date, ....	....	31 5 0
" "	Magistrate's Salary to date, ....	....	25 0 0
Aug. 1.	Wages of Police to date, ....	....	31 12 6
Sept. 2.	Do. to 1st instant, ....	....	31 12 6
Sept. 20.	To Gas Light Company to 10th instant, ....	....	16 10 0
Oct. 1.	Wages of Police Force to date, ....	....	31 5 0
" 2.	Salary of Magistrate to 1st instant, ....	....	25 0 0
Nov. 1.	Wages of Police Force to date, ....	....	31 12 6
" "	Office Rent, half year, to date, ....	....	9 0 0
Dec. 2.	Wages of Police to 1st instant, ....	....	30 10 10
" 31.	Salary of Police Magistrate to date, ....	....	25 0 0
" "	Wages of Police Force to date, (inclusive,) ....	....	31 1 9
" "	Balance carried to new Account, ....	....	216 9 4

£853 2 11

1850.		CR.	
Jan. 1.	By balance in Commercial Bank to Cr. of Commissioners,		£354 17 11
" 18	Deposited by Jacob Allan, Esquire, ....	....	20 0 0
Feb. 1.	Do. do. ....	....	15 0 0
Mar. 5.	Do. do. ....	....	14 0 0
Apr. 19.	Do. do. ....	....	17 10 0
May 2.	Do. do. ....	....	20 0 0
July 4.	Deposited by F. S. Jones, Collector of Taxes, ....	....	55 0 0
" 9.	Do. Jacob Allan, Esquire, ....	....	18 5 0
" 13.	Do. F. S. Jones, ....	....	65 0 0
" 25.	Do. do. ....	....	55 0 0
" 31.	Do. do. ....	....	25 0 0
Aug. 23.	Do. Jacob Allan, Esquire, ....	....	15 5 0
" 31.	Do. F. S. Jones, ....	....	55 0 0
Oct. 2.	Do. do. ....	....	90 0 0
" "	Do. Jacob Allan, Esquire, ....	....	8 5 0
Nov. 28.	Do. F. S. Jones, ....	....	25 0 0

£853 2 11

Portland, 31st December, 1850.

CHARLES SIMONDS.

Charles Simonds appeared before me the 1st January, 1851, and made oath that the above Account is just and true.

THOMAS ALLAN, J. P.

RAILWAY FROM HALIFAX TO QUEBEC.

0681

Copies of Letters of Honorable Joseph Howe to Right Honorable Earl Grey.

[See Journal 1st April 1851.]

Copy of a Despatch from Lieutenant Governor Sir J. Harvey to Earl Grey.

Government House, Halifax, October 25, 1850.

MY LORD,—The members of my Government, upon a full consideration of the contents of Your Lordship's communication of the 21st ultimo, having deemed it to consist with what they owe to public feeling (which has been very unequivocally expressed throughout the Province), as well as to their own views of the great interests involved, to seek to present those views to Her Majesty's Government, in as plain and forcible a manner as may be consistent with the deep respect with which all decisions by Your Lordship have been and will at all times be received by them; they have accordingly resolved on delegating one of their body to proceed to England, in the hope that Your Lordship will admit their delegate to an audience, and will afford him every facility in bringing the views which he is charged to advocate, under the consideration of Her Majesty's Government, which to Your Lordship may seem fit.

Permit me, therefore, to present to Your Lordship the Honorable Joseph Howe, a member of my Council, and a gentleman well qualified, in my judgment, to afford to Your Lordship and to Her Majesty's Government the fullest information and the most correct views of the state of public feeling in Nova Scotia.

The deep importance attached throughout the Province to the subject of Mr. Howe's mission, will, I doubt not, plead my excuse from any deviation from existing regulations which may attend this mode of communication with Your Lordship; and I do not doubt that on this, as on some other points, Mr. Howe's local information, experience, and sound judgment, will be found useful and acceptable.

It is Mr. Howe's present intention (should circumstances not induce him to alter it) to return to Nova Scotia before the meeting of the Legislature, in the hope of enabling me to convey to that body, at their meeting, some definite information as to the prospect of being able to obtain the necessary funds from London capitalists, either with or without the aid of Her Majesty's Government. As the latter alternative, however, would involve the difference of from £16,000 to £20,000 a year, in the amount of interest to be paid by the Colony, I feel satisfied that Your Lordship will be disposed to promote any well-considered measure by which so large a saving may be effected, without risk to the Imperial Government.

I have, &c.

(Signed)

J. HARVEY.

The Right Hon. Earl Grey, &c. &c. &c.

Copy of a Letter from Mr. Howe to Earl Grey.

5, Sloane Street, November 25, 1850.

MY LORD,—Having, at the interview with which I was honored on the 18th inst., received Your Lordship's instructions to place before you, in official form, the arguments on which, as Representative from the Province of Nova Scotia, I base my application

application for the guarantee of the Imperial Government, in aid of the public works projected by the Government of that Colony, I beg leave, with all respect, to call Your Lordship's attention to the following statement and observations.

Regarding the period as rapidly approaching, if it has not actually arrived, when Railroads must be laid down through her most advanced and prosperous Counties, east and west, Nova Scotia is called to decide, with the experience of the world before her, upon the measures to be adopted to secure for her people, at the least expense, with the slightest risk, and in the shortest time, these great modern improvements. Her people have been accustomed to free roads; no toll-bars exist in the Province. Her roads, made at the public expense, belong to the country, and are emphatically the Queen's highways. In the few instances where she has deviated from this policy, in respect to bridges or ferries, the cost and the inconveniences of monopoly have tested its value.

Railways are highroads of an improved construction. They are as essential to our advancement and prosperity now, as common roads were in the olden time. The service which the Government has performed for a hundred years in respect to the common roads, which probably measure 8,500 miles, we believe it to be capable of performing in regard to Railways. The Administration is content to assume the responsibility, and the people, including an immense majority of all political parties, are willing and anxious that they should.

If our Government had means sufficient to build Railroads, and carry the people free, we believe that this would be sound policy. If tolls must be charged, we know that these will be more moderate and fair, if Government regulate them by the cost of construction and management, than if monopolies are created, and speculators regulate the tolls only with reference to the dividends. If there be risk or loss, we are content to bear it. If the traffic of the country yields a profit, we would apply the surplus revenue to the opening of new lines, or to the reduction of the cost of transportation.

Were a Railroad to be constructed in Nova Scotia, for the accommodation of internal traffic alone, we should perhaps decide to lay a line through our western Counties first, these being the most populous and improved.

An inter-colonial Railroad, in which the adjoining Colonies feel an interest, offers more general advantages than a mere local line. Hence the interest felt in the Quebec Railroad, which would have drawn to Halifax much trade from the Saint Lawrence, and opened up to colonization large tracts of wilderness lands, both in Canada and New Brunswick. This line, requiring £5,000,000 sterling to complete it, the united resources of the three Provinces are inadequate to the work, without very liberal aid from the British Government; that aid having been refused, the project has been for the present reluctantly abandoned.

A Railroad to Portland offers many advantages which one to Quebec does not. It will cost only about half as much. It must run, nearly all the way, through a comparatively improved country. It would connect Halifax with Saint John (and by the River, with Fredericton) and the larger towns of New Brunswick; giving to all these, with the villages and agricultural settlements lying between them, most desirable facilities for internal traffic.

The Portland Railroad would secure to Nova Scotia the advantages which nature designed

designed her to enjoy : connecting her with all the lines running through the American Continent, and making Halifax a common terminus for them all. No American steamer, which did not touch at Halifax, could thenceforward compete, in priority of intelligence, and the rapid transit of passengers, with those which did.

From New York to Liverpool, the shortest sea-line measures 3,100 miles ; that usually traversed is 3,300.

From Halifax to Galway is	....	....	....	....	2,130 miles.
Dublin to Holyhead,	....	....	....	....	63
					<u>2,193</u>
Holyhead to London,	....	....	....	263	
Dublin to the Southwest Coast of Ireland,				120	
Halifax to Saint John,	....	....	....	266	
Saint John to Waterville,	....	....	....	200	
Waterville to New York,	....	....	....	410—	1,259
					<u>3,452</u>

making the whole land and sea distance 152 miles more than the present sea passage. But the sea voyage, by the one route, would be 1107 miles shorter than by the other.

To run these 1107 miles by steamboat, at 12 miles an hour, would require 92 hours ; to run them by rail, at 30 miles an hour, would require but 36 hours. This route would therefore save, in the communication between Europe and America, 56 hours to every individual, in all time to come, who passed between the two Continents ; the sea risks to life and property being diminished by one third of the whole.

The States lying east of New York will be benefited in a ratio corresponding with their relative distances from that city. A merchant travelling from London to Portland, not only wastes 56 hours in going to New York, but must turn back and travel 400 miles on the route to Halifax besides, which will require 13 hours more.

It is clear then, that when the line across Ireland is completed, and that from Halifax to Waterville (from thence the lines are continuous all over the United States), this route may defy competition. No business man will travel by a route which leaves him 56 or 69 hours behind time, which gives to others dealing in the same articles, and entering the same markets with the same information, such very decided advantages.

No person travelling for pleasure will waste 56 hours, at some peril, on the ocean, where there is nothing to see, who can, in perfect security, run over the same distance by land, with cultivated country and a succession of towns and villages to relieve the eye.

The Americans assembled at the Portland Convention pledged themselves to make this line through the territory of Maine. Capitalists and contractors in that country profess their readiness to complete the whole through the British Provinces, provided Acts of Incorporation are given to them with liberal grants of land and money in addition.

For various reasons, the Government of Nova Scotia are reluctant to permit this to be done.

They are unwilling to surrender that which must become for ever the great highway between the Capital of Nova Scotia and her eastern Counties, to the management and control of foreign capitalists.

They

They believe it to be, my Lord, equally sound Provincial and sound National policy, that that portion of what must become a great highway of Nations, which lies within the territories of Nova Scotia and New Brunswick, should be kept under British control; and they believe that the security and defence of the maritime Provinces are involved in adherence to that policy.

They believe that the honor of the Crown is concerned in this question, to an extent which calls upon them to pledge the entire credit and resources of the Province, that it may not be tarnished. Having done this, they believe that the Imperial Government ought to take at least sufficient interest in the question to enable them to enter the English money market on the best terms, and effect a large saving in the expenditure required.

Money is worth, in the United States and in the British Provinces, 6 per cent. Suppose this Railroad to be constructed by American or Provincial capitalists, it is evident that our portion of it, which will cost £800,000 sterling, must pay £48,000 sterling, or £60,000 currency, over and above its working expenses.

With the Imperial guarantee, we can obtain the funds required at $3\frac{1}{2}$ per cent., reducing the annual interest to £28,000 sterling, or £35,000 currency.

The Government of Nova Scotia believe, that if British capital, so much of which flows into foreign States, where it is always insecure, and in times of trial is found to have invariably strengthened our enemies, can be safely invested in the Queen's dominions, the Imperial Government should take an interest in its legitimate employment; and they are quite prepared to invest an equal sum to that now required in building a line through the western Counties of Nova Scotia, whenever the eastern pays its working expenses and interest on the sum expended.

They believe that even if the Province could raise this amount of capital, to withdraw so large a sum from the ordinary channels of circulation, where it is beneficially employed, and earning interest and profits, would cramp the trade of the country, and produce, on a small scale, embarrassments similar in their nature to those experienced in the parent State.

They believe that a low rate of interest would lead to the establishment of a low rate of fares, of which every Englishman passing over the line would feel the advantage.

They are prepared to carry the British and American mails at reasonable rates, and to authorize the British Government to pay the amounts contracted for, to the credit of the interest on the loan.

They believe that Her Majesty's Government legitimately employed their influence in securing, by the Nicaragua Treaty, a passage for British subjects and commerce to the East. They believe that to control the great highway to the West, and to secure to a British Province the advantages of oceanic steam navigation, would be an equally legitimate object.

They believe that if Her Majesty's Government takes the lead in these noble North American enterprises, they will make the Queen's name a tower of strength on that Continent.

They apprehend that if the Colonists are driven to seek sympathy and assistance from the United States, in aid of their public works, to become large debtors to their capitalists, at extravagant interest, to employ their citizens habitually in the bosom of their country, a revulsion of feeling, dangerous to British interests, will be created, which statesmen should foresee and avoid.

Whether,

Whether, my Lord, it was prudent in the Provincial Government to ask for the Imperial guarantee, I would respectfully suggest that it is now too late to consider. The refusal would wound the pride of every Nova Scotian, and strengthen the belief that England is indifferent to the industrial development of the maritime Provinces; that she has no policy, by backing which their inhabitants can be elevated to fair competition with their Republican neighbours; and that when they ask her countenance and co-operation in measures which are as essential to the national dignity and security, as they would be productive of internal improvement, the reply, though courteous, shuts out hope.

An impression prevails in the Lower Provinces, that either from the immediate presence in Canada of noblemen generally standing high in the confidence of the Ministry at home, or from the sensitive irritability with which all parties resort to open violence in that Province, more weight is given to representations affecting her interest, than to those which concern the maritime Colonies. Nova Scotians, compelled to sacrifice £22,000 a year in the completion of a national work, by the refusal of the Imperial Government to guarantee to the capitalists of England the interest on this loan, cannot fail to contrast the relative position in which they are placed by that refusal. That they may not copy the evil examples by which a larger share of fraternal consideration will appear to them to have been secured, shall be my sincere and anxious prayer.

The Canadas, seeking Responsible Government in the French mode, resorted to armed insurrections, which it cost England 4 or £5,000,000 to suppress. Immediately after the restoration of tranquillity, the British Government lent the Canadas £1,500,000.

Had the maritime Provinces participated in those rebellions, every regiment that marched through them in the winters of 1837 and 1839 would have been cut off. They did not. They adhered to their allegiance, and denounced the rebels. They cheered the soldiers on their winter marches, and provided for their wives and children. Yet Canada has been rewarded for bad faith and the waste of national resources, by a bonus of a million and a half; and I know no terms in which I can describe what my countrymen will feel, if, with a surplus revenue already available to secure the parent State from risk, they are refused the guarantee for half that amount.

In 1839, the State of Maine called out its militia to overrun the Province of New Brunswick. Nova Scotia, though not directly menaced, promptly tendered her entire pecuniary and physical resources in vindication of the national honor. She had no direct interest in the Boundary question. Not an acre of her soil was menaced; yet she did not hesitate to tender her means, and to set an example of loyal unanimity, much wanted on the continent at that moment, and which, had war commenced, could not have failed to have drawn it into her bosom. Yet now, the people she would have fought, tender their co-operation to make a great national highway across her soil; and I submit, with all deference, my Lord, whether the Sovereign, whose honor she was prompt to vindicate, should be advised to refuse her aid, and view with unconcern the probable construction of such a work in our very midst, by foreign capital, to be subject to foreign influence and control.

When the storm blew from Maine we wrapped our loyalty around us. Who can tell what may happen, should the sun of prosperity shine from that quarter, and coldness and neglect appear on the other side?
England

England would not allow foreigners to control a great line of Railway reaching from Dover to Aberdeen. Should she permit them to control 350 miles of Railway through Nova Scotia and New Brunswick ?

When the French propagandists menaced Belgium, the Belgium Government controlled the Railways. The invaders were ambushed and overpowered ; and through all the convulsions of 1848—1850, Belgium has remained tranquil and secure.

When the mob of Montreal seized upon the capital of Canada, the electric telegraph was in their hands. The wires were used to communicate with partisans above and below, by which Lord Elgin was seriously compromised, his Government having no assurance that their secrets were kept or their messages delivered.

But, my Lord, it may be asked, why should foreign capitalists make and control this road ? Why may not this be done by the Colonists themselves ? Because,—

1st. Capital is more abundant in the United States (most of which have borrowed largely from England) than in the British Provinces.

2d. Experience of Railway enterprises, and confidence in them, are more general in that country.

3d. A body of Railway engineers, contractors, and operatives, already formed in the different States, seek further employment, and will take much stock in payment, if employed.

4th. The interest of most of the lines south and west would be promoted by extension. Not only would Europeans, now reaching the Central States by sea, travel by rail if this were laid, but the population of the Provinces, who rarely go south or west, for want of facilities, would, by the aid of the European and North American Railroad, be let in on the western and southern lines.

5th. The national importance of controlling this Railroad will induce Americans to embark in it. The electric telegraph across Nova Scotia was no sooner completed than American merchants and speculators in cotton and corn would have bought it at any price. In peace and war the command of the work now proposed would give them great influence. No single association in the two Provinces would wield so much. If they built the trunk line they would ultimately control the branches. The constant employment of their own people would lead to the diffusion of Republican sentiments ; and no Nova Scotian, or inhabitant of New Brunswick, would deem it worth his while to attempt to counteract tendencies to which the mother country seemed indifferent, and which he saw must inevitably lead to but one result.

Should it be objected, my Lord, that to comply with the request preferred by Nova Scotia, would be to delay or peril the completion of the great Railway projected by Lord Durham, and which was designed to form a back bone for the North American Provinces, and to open up large tracts of waste land to colonization ; we answer—

Show us that Her Majesty's Government seriously entertain that project ; that they are prepared to go down to Parliament and demand that it shall be realized ; and Nova Scotia will at once honorably redeem the pledges which, in anticipation of what she conceived to be the Imperial policy, were recorded upon her statute book.

However the question may have changed its aspect, Nova Scotia will not swerve from any line of inter-colonial policy which the parent State regards as of paramount importance.

But the question has changed its aspect. Whether Canada, with its Railway lines, connecting

connecting Montreal and Quebec with the sea, via Melbourne and Portland, and which will, by the completion of the line now proposed through the cultivated parts of New Brunswick, unite both these great Cities with Halifax, by distances severally of 825 and 865 miles, will be disposed to embark funds in another, through a comparative wilderness, remains to be proved.

Nova Scotia, whatever may be the predilections of the Imperial Government, or the determination of Canada, possesses this advantage: The line which she proposes to construct through her territory, must be a common trunk line for both the Portland and Quebec Railroads, whenever these are completed.

Nova Scotia cannot be wrong in constructing her 130 miles. If the Portland Railroad only is built, she is content to share the fortunes of that enterprise. If the British Government prefer, and choose to aid the work originally proposed, Nova Scotia will either pay her contribution, already pledged, or she will make that portion of the common line to the St. Lawrence which passes through her territory.

We hope to see both lines finished. One continuous Railroad communication with the great rivers and lakes of Canada, or with the principal cities of the United States, would give an impetus to the social and material prosperity of Nova Scotia, which her people anticipate, in confident reliance upon their own resources and on the bounties of Providence. Give them both, and the trunk line through their country must become a source of prosperity to the Province, and of revenue to its Government,—only to be paralleled in the history of the New World by the celebrated Erie Canal.

But, my Lord, it may be urged that the parent State has many Colonies, and that she may be embarrassed by other claims of a similar nature, if this is granted. Admitting the soundness of the objection, I respectfully submit that it comes too late. The British Government has already established the precedents of which Nova Scotia would claim the benefit. The grants to Canada have been already referred to. In 1848, a law was passed by Parliament, guaranteeing the interest required on a loan for the public works of the West Indies and the Mauritius, including Railways.

But we humbly conceive that no general rule of this kind ought to apply, even if the exceptions to which I have referred did not exist. The Government of England does not place a lighthouse on every headland, nor maintain a garrison in every English town. It does not build a dockyard in every county, nor in every colony. The prominent points of the sea coast are occupied for commercial security, and the most commanding positions for the preservation of internal tranquillity and national defence.

Gibraltar is a barren rock, yet millions have been expended in its capture and defence. Bermuda, in intrinsic value, is not worth a single County of New Brunswick, yet it commands the surrounding seas, and is therefore occupied for national objects.

In like manner, I would respectfully submit, should the commanding position of Nova Scotia be appreciated, occupied, and rendered impregnable—not by the presence of fleets and armies—but by inspiring its people with full confidence in the justice, magnanimity and wisdom of the Imperial Government—by promptly securing to the Province all the advantages arising from its proximity to Europe—from its containing within its bosom the high road, over which, in all time to come, the Anglo-Saxon race must pass in their social and commercial intercourse with each other.

There are other views of this question, my Lord, which ought to have their weight with the Government and people of England. The position of the North American Provinces is peculiar, and the temptations and dangers which surround them, trust me, my Lord, require on the part of the Imperial Government, a policy at once conciliatory and energetic.

The concessions already made, and the principles acknowledged by Her Majesty's Government, leave us nothing to desire, and Imperial statesmen little to do, in regard to the internal administration of our affairs. But something more than this is required by the high spirited race who inhabit British America. Placed between two mighty nations, we sometimes feel that we belong, in fact, to neither. Twenty millions of people live beside us, from whose markets our staple productions are excluded, or in which they are burthened with high duties, because we are British subjects. For the same reason, the higher paths of ambition, on every hand inviting the ardent spirits of the Union, are closed to us. From equal participation in common rights, from fair competition with them in the more elevated duties of Government, and the distribution of its prizes, our British brethren, on the other side, as carefully exclude us. The President of the United States is the son of a schoolmaster. There are more than 1000 schoolmasters teaching the rising youth of Nova Scotia, with the depressing conviction upon their minds, that no very elevated walks of ambition are open either to their pupils or their children.

Protection to any species of industry in Nova Scotia we utterly repudiate; but your Lordship is well aware that many branches of industry, many delicate and many coarse manufactures, require an extended demand before they can be sustained in any country. This extended demand the citizens of the great Republic enjoy; and it has done more for them than even their high tariffs or their peculiar institutions. The wooden nutmeg of Connecticut may flavour, untaxed, the rice of Carolina. Sea-borne in a vessel which traverses two mighty oceans, the coarse cloths of Massachusetts enter the Port of St. Francisco without fear of a custom house or payment of duty. The staple exports of Nova Scotia cannot cross the Bay of Fundy without paying 30 per cent.; and every species of Colonial manufacture is excluded from Great Britain by the comparatively low price of labour here, and from the wide range of the Republic by prohibitory duties.

The patience with which this state of things has been borne; the industry and enterprise which Nova Scotia has exhibited, in facing these difficulties, entitle her to some consideration. But a single century has passed away since the first permanent occupation of her soil by a British race. During all that time she has preserved her loyalty untarnished, and the property created upon her soil, or which floats under her flag upon the sea, is estimated at the value of £15,000,000. She provides for her own Civil Government,—guards her criminals,—lights her coast,—maintains her poor,—and educates her people, from her own resources. Her surface is everywhere intersected with free roads, inferior to none in America; and her hardy shoresmen not only wrestle with the Republicans for the fisheries and commerce of the surrounding seas, but enter into successful competition with them in the carrying trade of the world. Such a country, your Lordship will readily pardon me for suggesting, even to my gracious Sovereign's confidential advisers, is worth a thought. Not to wound the feelings of its inhabitants, or even seem to disregard their interests, may be worth the small sacrifice she now requires.

Nova

Nova Scotia has a claim upon the British Government and Parliament, which no other colony has. The mineral treasures in her bosom are supposed to be as inexhaustible as the fisheries upon her coast or the riches of her soil. Nearly the whole have been bartered away to a single company, for no adequate provincial or national object. A monopoly has thus been created, which wounds the pride, while it cramps the industry of the people. If Nova Scotia were a State of the American Union, this monopoly would not last an hour. If she now asked to have this lease cancelled or bought up, that her industry might be free, she would seek nothing unreasonable.

The emancipation of our soil is perhaps as much an obligation resting upon the people of England, as was the emancipation of the slaves. No Government dare create such a monopoly in England or in Scotland; and bear with me, my Lord, when I assure your Lordship that our feelings are as keen, our pride as sensitive, as those of Englishmen or Scotchmen. Break up this monopoly, and capital would flow into our mines, and the mines would furnish not only employment for Railroads, but give an impetus to our coasting and foreign trade.

Nova Scotians have seen £20,000,000 not lent, but given, to their fellow-colonists in the West Indies. They admired the spirit which overlooked pecuniary considerations in view of great principles of national honour and humanity. But by that very act they lost, for a time, more than would make this Railroad. Their commerce with the West Indies was seriously deranged by the change, and the consumption of fish, their great staple, largely diminished.

If money is no object when the national honour is at stake in the West Indies, why should it be in British America? If the emancipation of 800,000 Blacks is a moral obligation, to be redeemed at the cost of £20,000,000, surely a territory, which now contains double the number of Whites, attached British subjects, and which will ultimately contain ten times that number, is worth risking a million or two to preserve.

The national bounties of France and America, my Lord, also place Nova Scotia in a false and unfavourable position. These bounties are not aimed at our industry, but at British naval supremacy. Yet they subject us to an unfair competition upon the sea, as galling as is the mineral and metallic monopoly upon the land.

For every quintal of fish a Frenchman catches, his Government pays him 10 francs, or 8s. 4d. sterling, and every man and boy employed receives 50 francs for each voyage besides. For every ton of shipping an American employs in the fishery, his Government pays him 20s. per ton. Nova Scotia juts into the seas which the French and American fishermen, thus stimulated, occupy. If she were a French Province, or an American State, not only would she participate in those bounties, but she would fit out and own, in addition to her present fleet, at least 1000 fishing-craft, which now come from foreign ports into the waters by which she is surrounded, and subject her people to a species of competition in which the advantages are all on one side.

The manner in which Nova Scotia has extended her fisheries in the face of this competition; the hardy race she has reared upon her sea-coast; the value of craft employed and of export furnished, speak volumes for the enterprise and industry of her people. Yet every Nova Scotian fisherman toils with this conviction daily impressed upon his mind: "If I were a Frenchman, my profits would be secure. I would be in a position equal to that of an American; far superior to that of a colonist. If I was an American, I would have a bounty sufficient to cover the risk of my outfit, and

and besides, have a boundless free market for the sale of my fish, extending from Maine to California, which is now half-closed to me by nearly prohibitory duties."

The British Government could break down these bounties at once, by equalizing them. The Mother Country owes it to her Northern Provinces to try the experiment, if they cannot be removed by negotiation. But suppose she does not; suppose, that having done my best to draw attention to the claims of those I have the honor to represent, I return to them without hope, how long will high-spirited men endure a position in which their loyalty subjects their mines to monopoly—their fisheries to unnatural competition—and in which cold indifference to public improvement, or national security, is the only response they meet, when they make to the Imperial authorities a proposition calculated to keep alive their national enthusiasm, while developing their internal resources?

The idea of a great inter-colonial Railroad to unite the British American Provinces, originated with Lord Durham. In the confident belief that this work was to be regarded as one of national importance, Nova Scotia paid towards the survey of the line nearly £8,000. The anticipation that the completion of this great work, in connexion with a scheme of colonization, would redress many of the evils and inequalities under which the Provinces labour, for some time buoyed up the spirits of the people, and the disappointment is keenly felt in proportion as hopes were sanguine. If then the British Government has abandoned the policy to which, perhaps too hastily, we assumed that it was pledged; if the empire will make no roads through its territories (and the legions of Britain might be worse employed); surely it cannot be less than madness to permit foreigners to make them; and it must be sound statemanship to aid the Colonial Governments, whenever they will assume the responsibility of constructing and controlling the great highways, no less necessary for internal improvement than for national defence.

If the road across Nova Scotia is commenced, the spirits of the Colonists will revive. If extended first to Portland, it will "prepare the way," to employ your Lordship's own language, "for the execution of the line to Quebec; and it will contribute to the same end, namely, that of rendering Halifax the great port of communication between the two Continents of Europe and America."

I have said that the Railroad across Nova Scotia will be the common trunk for the Quebec and Portland lines, whenever these are made. The former cannot be constructed by the Colonists, unless the British Government make liberal contributions. The line to Portland will be made either with British or American capital. If by the latter, then, my Lord, it is worth while to inquire in what position the British Government will stand, should they ever attempt to realize Lord Durham's magnificent conception, and find that the first link in the great chain of inter-colonial communication is already in possession of their enemies?

The Americans at this moment are putting forth their utmost skill to compete with our ocean steamers. When the Railroad is constructed across Nova Scotia and New Brunswick, their boats must start from and return to Halifax, or the competition will be at an end. A rivalry, honorable to both nations, may still continue; but, however the odds may turn, at least we shall have the satisfaction to reflect, that the inevitable result of that competition is to build up a noble maritime city within Her Majesty's dominions.

The

The British Government now pays, for the conveyance of the North American mails between England and New York, £145,000 sterling per annum. By this arrangement 1,107 miles of sea are traversed more than are necessary. The correspondence of all Europe with all America is delayed fifty six hours beyond the time which will be actually required for its conveyance, when the Railroads across Ireland and Nova Scotia are completed.

One set of these British Mail Steamers pass by our own Provinces, and, to the mortification of their inhabitants, carry their letters, and even the public despatches of their Government, to the United States, to be sent back some 800 miles, if they come by land; at least 500, if sent by sea.

While the nearest land to Europe is British territory,—while a harbour, almost matchless for security and capacity, invites Englishmen to build up within the empire a fitting rival to the great commercial cities which are rising beyond it, your Lordship will readily comprehend the depth and earnestness of our impatience to be rescued from a position which wounds our pride as British subjects, and is calculated rapidly to generate the belief, that the commanding position of our country is either not understood, or our interests but lightly valued.

My Lord, I do not touch the question of Emigration and Colonization, because I have already trespassed largely upon your Lordship's patience, and because I do not wish to encumber the subject. There is another reason, my Lord. I do not desire to enter incidentally upon a field which has yielded so many crops of fallacies, but which, properly cultivated, may yet bear noble fruit. I wish to examine what may have been recently said and written in England, on this important subject, before expressing my opinion. This only I may say, that if the British Islands have surplus labour, there is room for it all in the North American Provinces; and that the honour and the interests of England are deeply concerned in planting that labour in the right place.

I am aware, my Lord, that it is the fashion, in certain quarters, to speak of the fraternal feelings which, henceforward, are to mutually animate the population of Great Britain and of the United States. I wish I could credit the reality of their existence; but I must believe the evidence of my own senses.

A few years ago I spent the 4th of July at Albany. The ceremonies of the day were imposing. In one of the largest public halls of the City, an immense body of persons were assembled. English, Irish, and Scotch faces were neither few nor far between. In the presence of that breathless audience, the old bill of indictment against England, the Declaration of Independence, was read; and at every clause each young American knit his brows, and every Briton hung his head with shame. Then followed the oration of the day, in which every nation, eminent for arts, or arms, or civilization, received its meed of praise, but England. She was held up as the universal oppressor and scourge of the whole earth,—whose passage down the stream of time was marked by blood and usurpation,—whose certain wreck, amidst the troubled waves, was but the inevitable retribution attendant on a course so ruthless. As the orator closed, the young Americans knit their brows again; and the recent emigrants, I fear, carried away by the spirit of the scene, cast aside their allegiance to the land of their fathers.

Had this scene, my Lord, occurred in a single town, it would have made but a slight impression; but, on that very day, it was acted, with more or less of skill and exaggeration,

exaggeration, in every town and village of the Republic. It has been repeated on every 4th of July since. It will be repeated every year to the end of time. And so long as that ceremony turns upon England, every twelve month, the concentrated hatred of Republican America, it cannot be a question of indifference, whether the emigrants who desire to leave the Mother Country, should settle within or beyond the boundaries of the empire.

There is, my Lord, another view of this question, that is pregnant with materials for reflection, and that should task the statesmanship of England, independently of it, though deserving to be glanced at in this connexion. I have said that the North American Provinces lie between two mighty nations, yet belong, in fact, to neither. This branch of the subject is wide, and may be variously illustrated. Perhaps, before leaving England, I may call your Lordship's attention to it again. For the present I confine myself to a single illustration.

Whatever may be the decision of Her Majesty's Government upon this claim, which, on the part of the Province I represent, I have endeavoured respectfully to press upon your Lordship's notice, I believe, and every one of my countrymen will believe, that if presented to the magnanimous and enlightened Assembly where we are not represented, by a few Nova Scotians, whose hearts were in the enterprise; whose knowledge of the position and requirements of British America was minute and various; whose zeal for the integrity of the empire, and the honour of the Crown, could not be questioned, the House of Commons would not permit them to plead in vain.

But, my Lord, we have no such privilege. We daily see our friends or acquaintance across the frontier, not only distinguishing themselves in the State Legislatures which guard their municipal interests, but enriching the national councils with the varied eloquence and knowledge drawn from every portion of the Union. From the national councils of his country, the British American is shut out. Every day he is beginning to feel the contrast more keenly. I was not at the recent Portland Convention, but the Colonists who did attend, astonished the Americans by their general bearing, ability, and eloquence. But when these men separated, it was with the depressing conviction in the hearts of our people, that one set would be heard, perhaps, on the floor of Congress the week after, or be conveyed in national ships to foreign Embassies; while the other could never lift their voices in the British Parliament, nor aspire to higher employment than their several Provinces could bestow. Let us then, my Lord, at least feel, that if thus excluded, we have but to present a claim or a case worthy of consideration, to have it dealt with in a fair and even generous spirit.

The warrior of old, whose place was vacant in the pageant, was yet present in the hearts of the people. So let it be with us, my Lord. If the seats which many whom I have left behind me, could occupy with honour to themselves, and advantage to the empire, are still vacant in the national councils, let Nova Scotia at least be consoled by the reflection that her past history pleads for her on every fitting occasion.

I have, &c.

(Signed)

JOSEPH HOWE.

The Right Hon. Earl Grey, &c. &c. &c.

Copy

Copy of a Letter from Mr. Howe to Earl Grey.

5, *Sloane Street*, January 16, 1851.

MY LORD,—In the letter which I had the honor to address to your Lordship on the 25th November, I argued the case of Nova Scotia on its own merits, and ventured to claim the guarantee of the Imperial Government in aid of her public works, upon grounds which affected her material interests, her pride, her enterprise, and steadfast loyalty to the British Crown.

The immediate consideration of that letter I did not desire, because, while preparing it, I was quite conscious that if the single issue raised, were to be decided by Her Majesty's Government upon the merits or claims of Nova Scotia alone, the Cabinet would have but a very inadequate statement of the reasons which ought to secure, and the Province I represent but a slender chance of obtaining, a favourable decision.

The interest which the mother country has in the elevation of North America, in the increase of her population, the development of her resources, the occupation of her wild lands, the extension of her commerce, and of her means of internal and external communication, I believe too far transcend the interest, great as that is, which the several Provinces feel in these very important questions.

Should the aid of the parent State be refused, the Northern Provinces would still, but with less rapidity, complete their public works. Though not an emigrant landed on their shores, the population they have would live in plenty, and double every twenty years. Should they change their political relations, the worst that could befall them, would be association with their Anglo-Saxon neighbours, or an independent position, moderately secure, and full of future promise.

But England cannot afford to descend from the high position which she occupies among the nations of the earth. Having lost one half of a mighty continent, won by the valour and enterprise of a noble ancestry, she can as little afford to confess, in the presence of all the world, her inability to wisely rule the other half, and preserve the attachment of its inhabitants. Besides, there are within her own populous cities, and upon the surface of her highly cultivated rural districts, certain evils, disorders, and burthens, with which it behoves her, as a good economist, and as a wise, enterprising, and christian nation, energetically to deal.

For more than a month I have surveyed, with intense earnestness, the wide circle of her colonial dependencies, and studied in parliamentary and official papers, for some assured prospect of relief from these evils and disorders. I have examined with care the policy of the present and of past Governments, and the plans and suggestions of public writers and associations; and have invariably turned to the North American Provinces with the conviction that they present, at this moment, the most available and diversified resources for the relief of England; the noblest field for the further development of her industry, philanthropy and power.

In offering suggestions to the Ministers of the Crown, I feel, my Lord, the distance which divides me, in rank and intelligence, from those I would presume to counsel; and yet I am not without a hope that they will give some weight to the position I occupy, and to the training which my mind has received.

If I understand the questions to be approached better than many persons of far higher attainments—if I feel more acutely their commanding importance, it is because, being a native of North America, I have travelled much over the Provinces, and mingled

mingled familiarly, and for many years, with all classes of their inhabitants; and being a member of Her Majesty's Council in the Province I represent, I am bound by my oath to offer my advice, through the channels established by the Constitution, to my Sovereign, in matters of State, which I believe to involve the honor of the Crown and the integrity and prosperity of the empire.

To provide employment for her surplus capital and labour—to extend her home markets—to relieve her poor rates—to empty her poor houses—to reform her convicts—to diminish crime—to fill up the waste places of the empire, and to give the great mass of her population a share of real estate, and an interest in property, I believe to be pre-eminently the mission and the duty of this great country at the present time.

The period is favourable. The removal of impolitic restrictions has lessened to some extent the pressure upon the public finances, and given to the people that measure of relief which affords time for reflection upon the means by which the still existing pressure upon industry may be further relieved. In a colonial point of view, the period is also favourable. Thanks to the policy which the present Cabinet have carried out, the North American Provinces are relieved, so far as free countries ever can be, from internal dissensions. Invested with control over their own affairs and resources, they have now the leisure, as they assuredly have a sincere desire, to consult with their brethren on this side of the Atlantic on common measures of mutual advantage. I think I may say that while they anticipate great benefit from the co-operation and aid of the mother country in promoting their public works, they are not unmindful of their duty to consider the peculiar questions in which this country feels an interest; and to take care that while availing themselves of the credit of England, no permanent addition is made to her public burthens.

The subjects of Colonization and Emigration have been most elaborately discussed. I pass over the points in which writers and speakers differ; in this they all agree, that the British Islands have an interest in these subjects, second to none that has ever been felt by any nation in ancient or modern times. The enumeration of a few facts will be sufficient to exhibit the grounds of this belief. The statistical returns of 1850 will, I have no doubt, show a state of things much more favourable, but still I fear not so favourable as to shake the general conclusions at which I have arrived. These are founded upon facts, as I find them stated in official documents and works of approved authority.

In Ireland the lives of the population have for years been dependent upon the growth of a single vegetable. But when it grew, as was stated by the late Charles Buller, uncontradicted, in the House of Commons, on an average there were 2,000,000 persons who, in that island, were unemployed for thirty weeks in the year. To what extent famine and emigration have since diminished the numbers, I have no means of accurately judging; but it appears that in 1848, besides the £10,000,000 granted by Parliament for the relief of Irish distress, and provisions sent from other countries, £1,216,679 were raised in Ireland for the support of the poor, and that 1,457,194, or nearly 1 out of 5 of the entire population, received relief.

In Scotland, where the population is only 2,620,000, a fifth more than that of British America, £544,334 were expended for the relief of the poor in 1848, more than was spent by the four British Provinces on their Civil Government, roads, education, lights, interest on debts, and all other services put together; 227,647 persons were relieved, the

the amount expended on each being £2 7 9; a sum quite sufficient to have paid, in a regularly appointed steamboat, the passage of each recipient to British America.

In England, in the same year, £6,180,765 were raised for the relief of the poor, or 1s. 10d. in the pound on £67,300,587. The number aided was 1,876,541, or about 1 out of every 11 persons occupying this garden of the world. The sum paid for each was even higher than in Scotland, being £3 5 10 per head, more than sufficient to have paid the passage to North America from Liverpool or Southampton.

I turn to the workhouses of England, and find that in 1849 there were in these receptacles, 30,158 boys and 26,165 girls, of whom 8,264 were fit for service. In Ireland, under 18, there were 60,514 boys and 66,285 girls, the aggregate in the two countries being 185,122.

Turning to the criminal calendar, it appears that in 1848 there were committed for offences in England, 30,349; in Scotland, 4,900; and in Ireland, 38,522, making 73,771 in all; of whom 6,298 were transported, and 37,373 imprisoned.

I find that in 1849 you maintained in Ireland a constabulary of 12,828 men, besides horses, at a cost, taking the preceding year as a guide, of £562,506 10s. In England and Wales you employed 9,829 policemen, (including the London police,) at a cost of £579,327 4 8. From Scotland I have no return. But taking the above facts to guide us, it appears that, for mere purposes of internal repression, and the arrest of criminals, to say nothing of beaules and innumerable parish officers, you maintained, in addition to your army, a civic force double in number the entire army of the United States, at a cost (Scotland not being included) of £1,141,833 14 8.

Think you, my Lord, that when a Republican points exultingly to the returns, and contrasts these statistics of poverty and crime with the comparative abundance and innocence of his own country, and which he attributes to his own peculiar institutions, that a British colonist does not turn, with astonishment at the apathy of England, to the millions of square miles of fertile territory which surround him; to the noble rivers, and lakes, and forests by which the scenery is diversified; to the exhaustless fisheries; and to the motive power, rushing from a thousand hills into the sea, and with which all the steam engines of Britain cannot compete?

Driven to attribute to British and Irish statesmen a want of courage and forecaste to make these great resources available to maintain our brethren and protect their morals, or to suspect the latter of being more idle, degraded, and criminal, than their conduct abroad would warrant, we gladly escape from the apprehension of doing general injustice, by laying the blame on our rulers. May it be the elevated determination of Her Majesty's advisers to relieve us from the dilemma, by wiping out this national reproach.

One set of economists propose to remedy this state of things by restraints upon nature, which are simply impossible, and would be wicked if they were not; another large political party desire to feed the people by a return to protection and the revival of class interests with all the delusions and hostilities; a third look hopefully forward to the further development of domestic industry in accordance with the principles of free trade.

All my sympathies are with the latter; but while hostile tariffs exist in most of the populous States of Europe and America, I would aid them by the creation of new markets within the Queen's dominions, by the judicious location of those who are a

burden, upon the fertile lands of the empire, that they may become customers to those who remain at home.

One writer, whose book I have read recently, objects to this, because he says that if any part of the population is displaced, young people will marry, and increase the numbers until the vacuum is filled up. The young ought certainly not to object to this, or the old either. If his theory be sound, it answers the objections of those who fear too great diminution of numbers, by emigration; and colonization would still have this advantage, that it would strengthen the Transatlantic Provinces, and make more customers for Britain and Ireland, even should their population remain the same.

But it may be said there is but one enlightened mode of colonization, and, under the patronage of the Government and of associated companies, that is being very extensively tried in our southern and eastern possessions.

Of the Wakefield theory I would speak with all respect; of the combined efforts of public spirited individuals, I would be the last to disapprove; the judicious arrangements made by the Government Commissioners, for the selection of emigrants, the ventilation and security of ships, and the distribution of labour, and which I have carefully examined, challenge in most of their details, my entire sanction.

I do not wish to check the progress, in these valuable Colonies, of associated enterprise; I do not desire to restrict the growth of population within them, or to supersede the functions of the Board of Land and Emigration: I wish these rising communities God speed, and success to all those who take an interest in them.

But I turn from them to the North American field, perhaps because I know it best, but assuredly because I believe that to people and strengthen it will secure political advantages of the very highest importance, and because I apprehend that the Eastern Colonies, however they may prosper and improve, will offer but homœopathic remedies for the internal maladies of England.

In twenty two years, from 1825 to 1846 inclusive, only 124,272 persons went from the United Kingdom to the Australian Colonies and New Zealand. In the same period, 710,410 went to the United States, to strengthen a foreign and a rival Power, to entrench themselves behind a hostile tariff, and to become consumers of American manufactures, and of foreign productions, seaborne in American bottoms; they and the countless generation that has already sprung from their loins, unconscious of regard for British interests and of allegiance to the Crown of England.

In twenty two years, 124,272 settlers have gone to Australia and New Zealand; about half the number on the poor rate of Scotland in 1848, not a tenth part of the paupers relieved in Ireland, or one in fourteen of those who were supported by England's heavily taxed industry in that single year; not more, I apprehend, than died of famine in a single county of Ireland from 1846 to 1850; and less, by 60,000, than the number of the young people who were in the workhouses of England and Ireland in 1849.

Valuable as these Eastern Colonies may be, respectable as may have been the efforts to improve them, it is manifest that whether we regard them as extensive fields for colonization, or as industrial aids for the removal of pressure on the resources of the United Kingdom, the belief, however fondly indulged, is but a delusion and a snare. Were I to go into a calculation of the expense, to show what this emigration has cost the Government and people of England, I could prove this by pregnant illustrations. But two or three simple facts are patent, and lie upon the surface.

Australia

Australia and New Zealand are 14,000 miles from the shores of England. The British Provinces of North America but 2,500. Every Englishman, Irishman, or Scotchman who embarks for the Eastern Colonies, must be maintained by somebody for 120 or 150 days, while he is tossing about in idleness on the sea. The average passage to North America is about 40; and when the arrangements are complete, to which I hope to have your Lordship's countenance and support, emigrants embarking for the North American Provinces, may reach Nova Scotia and New Brunswick in 8 or 10 days, and Canada in 12. The expense of a passage to the east, is to the Government, to the emigrant, or to the capitalist, to whom he becomes a debtor, £20. The cost of a passage to the west rarely exceeds £3 10s., and may be reduced to £2 10s., if steam ships for the poor are employed.

But mark the disproportion, my Lord, in other respects. If a British or Irishman with capital go to the Eastern Colonies, he must pay £100 sterling for 100 acres of land. If he goes to the Canterbury Settlement he must pay £300. In Western Canada he can get his 100 acres of the best land in the empire for £40; in Lower Canada for £20; in New Brunswick (where Professor Johnston declares more wheat is grown to the acre than in the best parts of the State of New York) for £12 10; and in Nova Scotia for £10, where, from the extent of mineral treasures, the proximity to Europe, the wealth of the fisheries, and the facilities for and rapid growth of navigation, land is now in many sections, and will soon become in all, as valuable as in any part of Her Majesty's Colonial Dominions.

If land is purchased in Eastern Possessions, it is clear that English capital must flow out at the rate of £100 or £300 for every 100 acres. If the poor go out they must begin colonial life by owing that amount, and £20 for their passage besides, if they aspire to become proprietors.

A poor Englishman, on the contrary, can get to North America for a few pounds. If he works a single winter at the seal fishery of Newfoundland, or on the wharves in Nova Scotia, or a single summer in the rural districts or timber forests of New Brunswick, he can save as much as will pay for his passage and his land.

But it is said that these high prices are paid, not for land alone, but for the civilization, without which land is of little value,—for roads, bridges, churches, schools, for religious services and the means of education. But all these exist in North America, to an extent, and of an order, of which few persons who have not visited the Provinces have any correct idea. Nova Scotia, for instance, is divided into seventeen counties, with their magistracy, sessions, court houses, jails, representatives, and complete county organization.

Each of these again is divided into townships, whose ratepayers meet, assess themselves, support their poor, and appoint their local officers. In each of the shire towns there are churches of some if not of all the religious bodies which divide the British people. Every part of the country is intersected with roads, and bridges span all the larger and most of the smaller streams.

From 50 to 100 public schools exist in every county; there is a Bible in every house, and few natives of the Province grow up but what can read, write, and cypher. The same may be said generally of the other Provinces. We charge nothing for these civilizing influences. The emigrant who comes in, obeys the laws and pay his ordinary taxes, which are very light, is welcome to a participation in them all, and may for £10 have his 100 acres of land besides.

The

The best criterion of the comparative civilization of countries may be found in the growth of commerce and the increase of a mercantile marine. Tried by this test, the North American Provinces will stand comparison with any other portion in the Queen's dominions.

The West India Colonies, the Australian group including New Zealand, the African Colonies and the East Indian, or the Mauritius and Ceylon, owned collectively in 1846 but 2,128 vessels, or 42,610 tons of shipping. The North American group, including Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island, owned in that year, 5,119 vessels, measuring 393,822 tons. Of these, Nova Scotia owned in tonnage 141,093, and in number more than the other four put together, or 2,583.

But it may be asserted that the climate of North America is rigorous and severe. The answer we North Americans give to this objection is simple. Do me honor to glance, my Lord, at the hemisphere which contains the three quarters of the Old World, and dividing the northern countries from the south, the rigorous climate from the warm and enervating, satisfy yourself in which reside at this moment the domestic virtues, the pith of manhood, the seats of commerce, the centres of intelligence, the arts of peace, the discipline of war, the political power and dominion—assuredly in the northern half. And yet it was not always so. The southern and eastern portions, blessed with fertility, and containing the cradle of our race, filled up first, and ruled for a time the territories to the north. But as civilization and population advanced northwards, the bracing climate did its work, as it will ever do, and in physical endurance and intellectual energy, the north asserted the superiority which to this hour it maintains.

Look now, my Lord, at the map of America. A very common idea prevails in this country that nearly the whole Continent of North America was lost to England at the Revolution, and that only a few insignificant and almost worthless Provinces remain. This is a great, and if the error extensively prevail, may be a fatal mistake. Great Britain, your Lordship is well aware, owns up to this moment one half the Continent; and, taking the example of Europe to guide us, I believe the best half. Not the best for slavery, or for growing cotton and tobacco, but the best for raising men and women; the most congenial to the constitution of the northern European; the most provocative of steady industry; and all things else being equal, the most impregnable and secure.

But they are not and never have been equal. The first British emigration all went to the southern half of the continent, the northern portion, for 150 years, being occupied by French hunters, traders, and Indians. The British did not begin to settle in Nova Scotia till 1749, nor in Canada till 1763. Prior to the former period, Massachusetts had a population of 160,000, Connecticut, 100,000. The city of Philadelphia had 18,000 inhabitants before an Englishman had built a house in Halifax; Maine had 2,485 enrolled militiamen before a British settlement was formed in the Province of New Brunswick. The other States were proportionally advanced, before Englishmen turned their attention to the northern Provinces at all.

The permanent occupation of Halifax, and the Loyalist emigration from the older Provinces, gave them their first impetus. But your Lordship will perceive that in the race of improvement, the old thirteen States had a long start. They had three millions

millions of Britains and their descendants to begin with at the Revolution. But a few hundreds occupied the Provinces to which I wish to call attention at the commencement of the war, only a few thousands at its close. Your Lordship will, I trust, readily perceive that had both portions of the American Continent enjoyed the same advantages from the period when the Treaty of Paris was signed, down to the present hour, the southern half must have improved and increased its numbers much faster than the northern, because it had a numerous population, a flourishing commerce, and much wealth to begin with. But the advantages have not been equal. The excitement and the necessities of the War of Independence inspired the people of the south with enterprise and self-confidence. Besides, my Lord, they had free trade with each other, and, so far as they chose to have or could obtain it by their own diplomacy, with all the world. The Northern Provinces had separate Governments, half-paternal despotisms, which repressed rather than encouraged enterprise. They had often hostile tariffs, no bond of union, and, down to the advent of Mr. Huskisson, and from thence to the final repeal of the navigation laws, were cramped in all their commercial enterprises by the restrictive policy of England.

In other respects the Southern States had the advantage. From the moment that their independence was recognized, they enjoyed the absolute control over their internal affairs. Your Lordship, who has had the most ample opportunity of estimating the repressing influence of the old Colonial system, and, happily for us, have swept it away, can readily fancy what advantages our neighbours derived from exemption from its trammels. On reflection you will think it less remarkable that the southern half of the continent has improved faster than the northern, than that the latter should have improved at all.

But I have not enumerated all the sources of disparity. The National Government of the United States early saw the value and importance of emigration. They bought up Indian lands, extended their acknowledged frontiers, by purchase or successful diplomacy, surveyed their territory, and prepared for colonization. The States, or public associations within them, borrowed millions from England, opened roads, laid off lots, and advertised them in every part of Europe by every fair and often by the unfair means of puffing and exaggeration. The General Government skilfully seconded, or rather suggested, this policy. They framed constitutions suited to those new settlements; invested them with modified forms of self government from the moment that the most simple materials for organization were accumulated; and formed them into new States, with representation in the National Councils, whenever they numbered 40,000.

What did England do during all this time? Almost nothing; she was too much occupied with European wars and diplomacy. Wasting millions in subsidizing foreign princes, many of whose petty dominions, if flung into a Canadian lake, would scarcely raise the tide. What did we do in the Provinces to fill up the northern territory? What could we do? Down to 1815 we were engrossed by the wars of England, our commerce being cramped by the insecurity of our coasts and harbours. Down to the promulgation of Lord John Russell's memorable Despatch of the 16th of October, 1839, and to which full effect has been given in the Continental Provinces by the present Cabinet, we were engaged in harrassing contests with successive Governors and Secretaries of State, for the right to manage our internal affairs.

This struggle is over, and we now have the leisure and the means to devote to the great questions of colonization and internal improvement—to examine our external relations with the rest of the empire, and with the rest of the world—to consult with our British brethren on the imperfect state of those relations, and of the best appropriation that can be made of their surplus labour, and of our surplus land, for our mutual advantage, that the poor may be fed, the waste places filled up, and this great empire strengthened and preserved.

But it may be asked, what interest have the people of England in this inquiry? I may be mistaken, but, in my judgment, they have an interest far more important and profound than even the Colonists themselves.

The contrast between the two sides of the American frontier is a national disgrace to England. It has been so recorded in her parliamentary papers by Lord Durham, by Lord Sydenham, and by other Governors and Commissioners.

There is not a traveller from Hall to Buckingham but has impressed this conviction on her literature. We do not blush at the contrast on our own account; we could not relieve it by a single shade beyond what has been accomplished. We have done our best, under the circumstances in which we have been placed, as I have already shown by reference to our social and commercial progress; but we regret it, because it subjects us to the imputation of an inferiority that we do not feel, and makes us doubt whether British statesmen will, in the time to come, deal with our half of the American Continent more wisely than they have in times past.

It is clearly then the interest and the duty of England to wipe out this national stain, and to reassure her friends in North America, by removing the disadvantages under which they labour, and redressing the inequalities which they feel.

Having, however imperfectly, endeavoured to show that as a mere question of economy—of relief to her municipal and national finances, no less than of her religious obligation, it is the duty of England to turn her attention to North America, permit me now for a moment to direct your Lordship's attention to the territory which it behoves the people of these United Kingdoms to occupy, organize, and retain.

Glance, my Lord, at the map, and you will perceive that Great Britain owns, on the Continent of North America, with the adjacent islands, 4,000,000 of square miles of territory. All the States of Europe, including Great Britain, measure but 3,708,871. Allowing 292,129 square miles for inland lakes of greater extent than exist on this continent, the lands you own are as broad as the whole of Europe. If we take the round number of 4,000,000, and reduce the miles to acres, we have about 90 acres for every man, woman and child in the United Kingdoms. Now suppose you spare us two millions of people, you will be relieved of that number, who now, driven by destitution to the unions or to crime, swell the poor rates and crowd the prisons.

With that number we shall be enabled, with little or no assistance, to repel foreign aggression. We shall still have a square mile, or 640 acres, for every inhabitant, or 4,480 acres for every head of a family which British America will then contain.

Is not this a country worth looking after, worth some application of Imperial credit, nay, even some expenditure of public funds, that it may be filled with friends not enemies, customers not rivals, improved, organized, and retained? The policy of the Republic is protection to home manufactures. Whose cottons, linens, woollens, cutlery, iron; whose salt, machinery, guns, and paper, do the 701,401 emigrants who
went

went to the United States between 1825 and 1846 now consume? Whose have they consumed, after every successive year of emigration? Whose will they and their descendants continue to consume? Those not of the Mother Country, but of the United States. This is a view of the question which should stir, to its centre, every manufacturing city in the kingdom.

Suppose the Republic could extend her tariff over the other portion of the continent, she could then laugh at the Free Trade policy of England. But if we retain that policy, and the Colonies besides, British goods will flow over the frontier, and the Americans must defend their revenue by an army of officers extending ultimately over a line of 3000 miles.

The balance of power in Europe is watched with intense interest by British statesmen. The slightest movement in the smallest State, that is calculated to cause vibration, animates the Foreign Office, and often adds to its perplexities and labours. But is not the balance of power in America worth retaining? Suppose it lost, how would it affect that of Europe? Canning, without much reflection, boasted that he had redressed the balance of power in the Old, by calling the New World into existence. But, even if the vaunt were justifiable, it was a world beyond the limit of the Queen's dominions. We have a new world within them, at the very door of England, with boundaries defined, and, undeniably by any foreign Power, subject to her sceptre. Already it lives, and moves, and has its being; full of hope and promise, and fond attachment to the Mother Country. The new world of which Canning spoke, when its debts to England are counted, will appear to have been a somewhat costly creation; and yet, at this moment, Nova Scotia's little fleet of 2,583 sail could sweep every South American vessel from the Pacific and Atlantic Oceans.

I am not an alarmist, my Lord, but there appear to be many in England, and some of them holding high military and social positions, who consider these islands defenceless from continental invasion by any first-rate European power. Confident as I am in their resources, and hopeful of their destiny, I must confess that the military and naval power of France or Russia, aided by the steam fleet and navy of the United States, would make a contest doubtful for a time, however it might ultimately terminate. But suppose the United States to extend to Hudson's Bay, with an extension over the other half of the continent, of the spirit which animates the Republic now; imagine Great Britain without a harbour on the Atlantic or the Pacific that she could call her own, without a ton of coal for her steamers or a spar to repair a ship; with the 5000 vessels which the Northern Provinces even now own, with all their crews, and the fishermen who line their shores, added to the maritime strength of the enemy, whose arsenals and outposts would then be advanced 500 miles nearer to England; even if Newfoundland and the West India Islands could be retained, which is extremely doubtful. The picture is too painful to be dwelt on longer than to show how intimately interwoven are the questions to which I have ventured to call your Lordship's attention, with the foreign affairs of the empire. I do not go into comparative illustrations, because I desire now to show how a judicious use of the resources of North America may not only avert the danger in time of war, but relieve the pressure upon the Home Government in times of peace.

There is no passion stronger, my Lord, than the desire to own some portion of the earth's surface—to call a piece of land, somewhere, our own. How few Englishmen
who

who boast that they rule the sea, own a single acre of land. An Englishman calls his house his castle, and so perhaps it is, but it rarely stands upon his own soil. How few there are who may not be driven out, or have their castles levelled with the ground, when the lease falls in.

There is no accurate return, but the proprietors of land in the whole United Kingdom are estimated at 80,000.

Of the 2,620,000 inhabitants that Scotland contains, but 636,093 live by agriculture; all the rest, driven in by the high price of land, are employed in trade and manufactures. Evicted highlanders rot in the sheds of Greenock; the lowland peasant's offspring perish annually in the larger cities for want of employment, food, and air.

In Ireland there are, or were recently, 44,262 farms under one acre in extent, 473,755 ranging from one to thirty. Between 1841 and 1848, 800,000 people were driven out of these small holdings; their hovels in many cases burnt over their heads, and their furniture "canted" into the street.

Whence come Chartism, Socialism, O'Connor land schemes, and all sorts of theoretic dangers to property, and prescriptions of new modes by which it may be acquired? From this condition of real estate. Because the great mass of the people in these three Kingdoms own no part of the soil, have no bit of land, however small, no homestead for their families to cluster round, no certain provision for their children.

Is it not hard for the great body of this people, after ages spent in foreign wars for the conquest of distant possessions; in voyages of discovery and every kind of commercial enterprise; in scientific improvements and the development of political principles; to reflect, that all their battles by land and sea, their £800,000,000 of debt; their assessed taxes, income tax, and heavy import duties; their prisons full of convicts; their poor rate of £7,000,000; that so few of all those who have done, and who endure these things, should yet have one inch of the whole earth's surface that they can call their own.

While this state of things continues, property must ever be insecure, and the great majority of the people restless. With good harvests and a brisk trade, the disinherited may for the moment forget the relative positions they occupy. In periods of depression, discontent, jealousy, hatred of the more highly favoured, however tempered by liberality and kindness, will assuredly be the predominant emotions of the multitude. The standing army and the 21,000 constables may keep them down for a time. But, even if they could for ever, the question naturally arises, have all your battles been fought for this,—to maintain in the bosom of England a state of siege, an ever impending civil war?

A new aspect would be given to all the questions which arise out of this condition of property at home, if a wise appropriation were made of the virgin soil of the empire. Give the Scotchman, who has no land, a piece of North America, purchased by the blood which stained the tartan on the plains of Abraham. Let the Irishman or the Englishman, whose kindred clubbed their muskets at Bloody Creek, or charged the enemy at Queenston, have a bit of the land their fathers fought for. Let them have at least the option of ownership and occupation, and a bridge to convey them over. Such a policy would be conservative of the rights of property, and permanently relieve the people. It would silence agrarian complaint, and enlarge the number of proprietors. The poor man, who saw before him the prospect of securing his 100, his 1000 acres,

acres, by moderate industry, would no longer envy the British proprietor, whose estate owed its value to high cultivation, but was not much larger in extent.

But it may be urged that if this policy be adopted, it may empty the United Kingdoms into North America, and largely reduce their population. No apprehensions of this result need be entertained. There are few who can live in Great Britain or Ireland, in comfort and security, who will ever go anywhere else. The attachment to home, with all its endearing associations, forms the first restraint. The seat of empire will ever attract around it the higher and more wealthy classes. The value of the home market will retain every agriculturist who can be profitably employed upon the land. The accumulated capital, science and machinery, in the large commercial and manufacturing centres, will go on enlarging the field of occupation just in proportion as they are relieved from the pressure of taxation. Besides, emigrants who have improved their fortunes abroad, will be continually returning home, to participate in the luxury, refinement, and higher civilization, which it is to be fairly assumed these islands will ever pre-eminently retain. Massachusetts, New York, and Pennsylvania, still enlarge their cities, and grow in wealth and population, though all the rich lands of the Republic invite their people to emigrate, and there is no ocean to cross. The natural laws which protect them would operate more powerfully here, where the attractions are so much greater.

But it is time, my Lord, that I should anticipate the questions that will naturally arise. Assuming the policy to be sound, what will it cost to carry it out?

Let us first see what the present system, or rather the public establishments, without a system, cost now :—

Poor Rates.	England,	....	....	....	....	£6,180,765	0	0
	Scotland,	....	....	....	....	544,334	0	0
	Ireland,	....	....	....	....	1,216,679	0	0
Constabulary.	England,	....	....	....	....	579,327	0	0
	Ireland,	....	....	....	....	562,506	0	0
Convicts at home and abroad,		....	....	....	....	378,000	0	0
Emigration, 1849, (exclusive of cabin passengers,)								
	Paid from Private or Parochial Funds,				...	1,500,000	0	0
	Paid by Government,		....	....	....	228,300	0	0
						£11,189,911	0	0

The cost of prisons, or that proportion of them which might be saved if the criminal calendar were less, might fairly be added to the amount. The prison at York cost £1,200 per head for each criminal,—a sum large enough, the inspector observes, “to build for each prisoner a separate mansion, stable, and coach house.” A large proportion of the cost of trials might also be added; and as twelve jurymen must have been summoned to try most of the 43,671 persons convicted in 1848, the waste of valuable time would form no inconsiderable item, if it were.

The loss of property stolen by those whom poverty first made criminal, no economist can estimate; and no human skill can calculate the value of lives and property destroyed in agrarian outrages, when wretchedness has deepened to despair.

My plan of Colonization and Emigration is extremely simple. It embraces—
 Ocean Steamers for the poor as well as the rich :
 The preparation of the Wild Lands of North America for settlement : and
 Public Works to employ the people.

I do not propose that the British Government should pay the passage of anybody to America. I do not, therefore, require to combat the argument upon this point with which the Commissioners of Land and Emigration usually meet crude schemes, pressed without much knowledge or reflection. The people must pay their own passages ; but the Government, or some national association, or public company to be organized for that purpose, must protect them from the casualties that beset them now, and secure for them cheapness, speed, and certainty of departure and arrival. If this is done, by the employment of steam ships of proper construction, all the miseries of the long voyage, with its sure concomitants,—disease and death ; and all the waste of time and means, waiting for the sailing of merchant ships on this side of the Atlantic, and for friends and conveyances on the other, would be obviated by this simple provision. A bounty to half the extent of that now given for carrying the mails would provide the ocean-omnibuses for the poor. Or, if Government, by direct aid to public works, or by the interposition of Imperial credit, to enable the Colonies to construct them, were to create a labour market, and open lands for settlement along a Railway line of 635 miles, these ships might be provided by private enterprise.

By reference to the published Report of the Commissioners for 1847, your Lordship will perceive that in that year of famine and disease, 17,445 British subjects died on the passage to Canada and New Brunswick, in quarantine, or in the hospitals, to say nothing of those who perished by the contagion which was diffused over the provincial cities and settlements. An equal number, there is too much reason to apprehend, died on the passage to or in the United States. In ordinary seasons, the mortality will of course be much less, and in all may be diminished by the more stringent provisions since enforced by Parliament. But bad harvests, commercial depressions, with their inevitable tendency to drive off large portions of a dense population, should be anticipated ; and no regulation can protect large masses of emigrants, thrown into sea-ports, from delay, fraud, cupidity, and misdirection. No previous care can prevent disease from breaking out in crowded ships, that are forty or fifty days at sea, to say nothing of the perils of collision and shipwreck.

Mark the effects produced upon the poorer classes of this country. Emigration is not to them what it might be made,—a cheerful excursion in search of land, employment, fortune. It is a forlorn hope, in which a very large proportion perish, in years of famine and distress, and very considerable numbers in ordinary seasons, even with the best regulations that Parliament can provide.

The remedy for all this—simple, sure, and not very expensive—is the ocean omnibus.

Steam ships may be constructed to carry at least 1000 passengers, with quite as much comfort as is now secured in a first class railway carriage, and with space enough for all the luggage besides. If these vessels left London, Southampton, Liverpool, Glasgow, Belfast, Cork, or Galway, alternately, or as there might be demand for them, on certain appointed days, emigrants would know where and when to embark, and would be secured from the consequences of delay, fraud, and misdirection.

The

The Commissioners report, that last year the sum spent in "the cost of extra provisions and conveyance to the ports of embarkation, and maintenance there, amounted to £340,000." The cost of reaching the sea ports cannot be economized, but the extra provisions and maintenance at the ports of embarkation would be materially reduced. But how much more would be saved? The average sailing passage from London to Quebec is 52 days; from Liverpool 45; from London to New York, 43; from Liverpool, 35. The average passage, by steam, from any of the ports I have named, need not exceed—to Nova Scotia 10, to New Brunswick and Canada, 12 days; but assuming 43 days as the average sailing passing from England to America, and 13 to be the average by steam, let us see what the saving would be to the poor, even taking the present amount of emigration as a basis.

299,498 emigrants left Great Britain and Ireland for America, in 1849. A very great proportion of the Irish had a journey and a voyage to make to some English sea-port, before they embarked upon the Atlantic. But pass that over, and multiplying the number of emigrants by thirty, and we have the number of days that would have been saved to these poor people, if they had been carried out by steam. It is clear that they wasted 8,984,940 days at sea, in, to them, the most precious year of life, and the most valuable part of that year, which, estimating their labour at 1s. a day in the countries to which they were repairing, would amount to £449,247.

The employment of ocean steam ships for the poor would save all this, and it would put an end to ship fever, disease, and death. The Government of England expended in Canada and New Brunswick alone, in 1847, in nursing the sick and burying the dead, £124,762 sterling. The ocean omnibus, whether established by Government or by a private association, would save all this in future. Restrictive colonial laws would disappear; and from the moment that there was a certainty that emigrants would arrive in health, however poor, the colonists would prepare their lands and open their arms to receive them.

The saving of expense and time on our side of the Atlantic would also be immense. These ships could run down the southern shores of the maritime Provinces, and land emigrants wherever they were required, from Sydney to Saint Andrews; passing through the Gut of Canso, they could supply all the northern coasts, including Prince Edward Island. They could go direct to the Saint Lawrence, landing the people wherever they were wanted, from Gaspé to Quebec.

Knowing exactly when to expect these vessels, our people would send to England, Ireland, and Scotland, for their friends, and be ready with their boats and wagons to convey them off, without cost or delay, the moment they arrived.

We should thus have a healthy, almost self-sustaining British emigration, to the full extent of the existing demand for labour, even if no public works were commenced.

But much would soon be done, still without costing the British Government a pound, to extend the labour market. The moment that the arrival of healthy emigrants, at convenient points, and early in the season, could be counted upon with certainty, the Provincial Government would lay off and prepare their lands for settlement, advertising them in all the British and Irish sea-ports. They would empower the Deputy Surveyors in each County to act as Emigrant Agents, and locate the people. They would call upon the County Magistracy to prepare, at the autumn or winter sessions, returns, showing the number and description of emigrants required by each County

in

in the following spring, with the number of boys and girls that they were prepared to take charge of and bind out as apprentices.

Proprietors of large unimproved tracts would soon, by similar exertion and kindred agencies, prepare them for occupation.

All this may be done by the employment of steam ships for the poor; and they, I am confident, might be drawn into the public service without any cost to the country. If it be objected that to so employ them would diminish the demand for sailing vessels, I answer no; but on the contrary, there would be an annually increasing demand for British and Colonial tonnage, to carry on the commerce and reciprocal exchanges that this healthy emigration would create.

But, my Lord, I am anxious to see these cheap steamers on another account: that they may bring English, Irish, and Scotch men, and their descendants, from time to time, back to the land of their fathers, to tread the scenes which history hallows, or revive the recollections of early life; to contemplate the modern triumphs and glories of England, and contrast them even with those of the proud Republic beside us. This ennobling pleasure cannot be indulged in now, but at a cost which debars from its enjoyment the great body of the Queen's Colonial subjects.

Reduce the passage to 10 days, and the cost to £5, and thousands would come over here every summer, to return with their hearts warmed towards their British brethren, to teach their children to understand the policy of England, and to reverence her institutions.

So far, my Lord, you will perceive that I have suggested nothing which would involve Her Majesty's Government in heavy expense; on the contrary, I believe that even the cost of emigrant steamers would be more than made up, either by a reduction of expense in the naval service, retrenchment of the cost of lazarettoes and quarantine, or by the relief which a healthy system of emigration would at once give to some, if not all the branches of the public service which now cost £11,000,000 sterling. It would require but a slight calculation to show that the planting of half a million of British subjects in the North American Provinces, where the duty on British manufactures ranges from 6½ to 12½ per cent.; and in the United States, where it ranges from 15 to 100 per cent., would amount to more than the whole sum wanted to establish these steamers.

To illustrate this, I have made a selection from the United States' Tariff, of certain articles in which British manufacturers feel a deep interest. It embraces 110 articles and branches of manufacture, upon which the duties in Nova Scotia, with very few exceptions, do not range higher than 6½ per cent.

British Manufactures which pay 15 per cent. in the United States.

Tow, hemp or flax, manufactured.
Steel in bars, cast or shear.

Tin plates, tin-foil, tin in sheets.
Zinc or spelter.

That pay 20 per cent.

Acids of every description.
Articles used in tanning or dyeing.
Blankets.
Blank books, bound or unbound.

Caps, gloves, leggings, mits, socks, stockings, wove shirts and drawers.
Chocolate.
Copperas and vitriol.

Copper

Copper rods, bolts, nails and spikes, copper bottoms, copper in sheets or plates.	Musical instruments of all kinds.
Dressed furs.	Needles of all kinds.
Glue.	Paints, dry or ground.
Gunpowder.	Paper-hangings.
Hats, or hat bodies of wool.	Tiles and bricks.
Oils used in painting.	Periodicals.
Lampblack.	Putty.
Leather.	Quills.
Lead in pigs, bars, or sheets ; lead in pipes, and leaden shot.	Saddlery.
Linens of all kinds.	Salts.
Litharge.	Sheathing-paper.
Malt.	Skins, tanned and dressed.
Manufactures of flax.	Spermaceti candles and tapers.
Manufactures of hemp.	Steel.
Marble, unmanufactured.	Stereotype-plates, type-metal, types.
Mineral and bituminous substances.	Tallow candles.
Medicinal drugs.	Thread laces.
Metals, unmanufactured.	Velvet.
	White and red lead.
	Window glass of all kinds.

That pay 25 per cent.

Buttons and button-moulds of all kinds.	Cotton manufactures.
Baizes, flannels, floor-cloths.	Manufactures of mohair.
Cables and cordage.	Silk manufactures.
Cotton laces, insertings, and braids.	Manufactures of worsted.
Floss-silks.	Mats and matting.
All manufactures of hair of all coarse descriptions.	Slates.
	Woollen and worsted yarn.

That pay 30 per cent.

Ale, beer, and porter.	Jewellery.
Manufactures of Argentine or German silver.	Toys.
Articles worn by men, women or children, of whatever material composed, made up in whole or in part by hand.	Earthen, china, and stone-ware.
Perfumes.	Manufactures of gold.
Manufactures of grass, straw, or palm-leaf.	Artificial feathers and flowers.
Beads.	Umbrella materials.
Hair manufactures of finer descriptions.	Cabinet and household furniture.
India-rubber manufactures.	Stained glass.
Fur caps, hats, muffs, tippets.	Glass and porcelain manufactures.
Carpets, carpetting, hearth-rugs.	Iron in bars or blooms, or other forms.
Carriages, and parts of carriages.	Iron-castings.
	Japanned wares.
	Manufactures of cotton, linen, silk, wool, or worsted, if embroidered.
	Marble manufactured.

Cheese.
 Clothing of every description.
 Coach and harness furniture.
 Coal and coke.
 Combs.
 Confectionery.
 Corks.
 Cutlery of all kinds.

Manufactures of paper, or papier-maché.
 Manufactures of wood.
 Muskets, rifles, and other fire-arms.
 Ochres.
 Oil-cloths.
 Plated and gilt-ware of all kinds.
 Playing-cards.
 Soap.

That pay 40 per cent.

Cut-glass.
 Manufactures of expensive woods.
 Tobacco manufactures.

Alabaster and spar ornaments.
 Sweetmeats.
 Preserved meats, fish, and fruits.

That pay 100 per cent.

Brandy, whiskey, and other spirits distilled from grain.

A similar list might be made of East Indian and British Colonial staples and productions, with the endless variety of small manufactures which they stimulate, and to which these high duties apply.

I pass now to the only remaining topic, the formation of Public Works, of approved utility, as a means of strengthening the empire,—developing the resources of the Provinces,—and as an aid to more rapid and systematic colonization.

Having, my Lord, in my former letter, entered largely upon this branch of the general subject, I need not repeat what that paper contains. Every mail brings fresh evidences of the feverish longing and intense anxiety with which all classes in the Provinces look forward to the establishment of those great lines of inter-colonial and continental communication, which are not only to bind us together, and secure to the British Provinces great commercial advantages, but which would, with cheap steamboats, reduce the Atlantic to a British Channel, and continue the Strand in a few years to Lake Huron, and ultimately, perhaps even in our own time, so rapidly does the world advance, to the Pacific Ocean.

The first 130 miles of this communication Nova Scotia will make, and amply secure the British Government from loss, should the advantage of its credit be given. We will do more—we will prepare our lands, collect returns, appoint an agent in each County, and repeal our taxes on emigrants; offering, on the best terms, a home to all who choose to come among us. If Her Majesty's Government have no objections to the employment of such portions of the troops as are not required to do garrison duty, we will give them a fair addition to their pay, or land along the line, to which in war their discipline would be a defence; thus saving to the British Government the expense of bringing these veterans back to England.

The ability of Nova Scotia to fulfil any obligations she may incur to the Imperial Government, may be estimated by reference to her past progress and present financial condition.

Montgomery Martin, in his late work, estimates the value of the Province, in moveable and immovable property, at £20,700,000. Without counting wild lands and property

property upon which labour has not been expended, we rate it at £15,000,000. This has been created in a century, by the industry of a few thousands of emigrants and loyalists, and their descendants. To the amount of shipping, as evidence of a prosperous commerce, I have already referred.

Within the twenty years from 1826 to 1846, the population more than doubled, the tonnage rising, in the last ten years of this period, from 96,996 to 141,043 tons.

The exports rose in the twenty years from £267,277 to £831,071.

The revenue of Nova Scotia is chiefly raised from imports, the royalty on the mines, and the sale of Crown Lands. There is no property-tax, income-tax, or assessed taxes, except poor and county rates raised by local assessments.

Her tariff is the lowest in North America. Her *ad valorem* duty on British goods is 6½ per cent.; that of Canada 12½.

All the liabilities of the Province amounted on the 31st December, 1849, to £105,643 13s. 1d. The Receiver General writes me that there has been an increase of the revenue during the past year, of £15,000, which will reduce the liabilities to £90,643 13s. 1d. No part of this debt is due out of the Province. Province notes, which circulate and are sustained by the demand for them to pay duties, represent £59,864 of the whole, which bears no interest. Of the balance, £40,000 is due to depositors in the Savings' Bank, who receive 4 per cent. The holders of Stock certificates, covering the remainder, receive 5 per cent.

The public property held by the Government in the City of Halifax alone, would pay the whole debt, which could be extinguished by applying the surplus revenue to that object for two years.

The income from all sources fluctuates between £90,000 and £110,000. The permanent charges on this revenue secured to Her Majesty by the Civil List Bill, are ——. The balance is expended in maintaining other branches of the Civil Government, in opening and repairing roads, and promoting education.

We should make the interest of the loan we now require a first charge on this surplus, in the event of the Railroad not yielding tolls sufficient, which, judging by the experience of our neighbours, we do not apprehend.

This surplus must steadily increase, because, while population and revenue will probably double within the next twenty years, as it has done, almost without emigration or Railroads, during the past twenty, the expenses of the Civil Government will be but very slightly augmented.

The revenue could be, and if necessary would be, promptly increased, by raising the *ad valorem* duty, readjusting specific duties, or if even, that were necessary, to sustain our credit with the mother country, by a resort to a legacy, income or property tax.

The Government of Nova Scotia, (exclusive of lands in Cape Breton,) still retains 3,982,388 acres of ungranted Crown Lands. These, if required, could also be pledged, or the net amount of sales of lands along the line could be paid over from time to time in liquidation of the loan.

The whole amount required is £800,000. The City of Halifax being pledged to the Provincial Government to pay the interest on £100,000, the whole amount that would therefore be chargeable on all sources of Provincial Revenue, the tolls on the Railroad included, would be £24,500.

Although

Although having no authority to speak for the other Colonies, I may observe, that the Province of New Brunswick, which lies between Nova Scotia and Canada, has, in addition to her ordinary sources of revenue, 11,000,000 of acres of ungranted lands. She might pledge to Her Majesty's Government the proceeds of as many millions of acres of these lands, along the lines to be opened, as might be necessary, in addition to the pledge of her public funds, to secure this country from loss. The troops might be employed, and settled in this Province also. The lands pledged could be sold to emigrants; the British mails and soldiers would be transported at fair prices, and the amounts might be carried to the credit of the loans. I believe that New Brunswick could, if moderately aided, ultimately make her great lines, absorb and provide farms for millions of emigrants; increasing the home market for British goods by the annual amount of their consumption; and, in a very few years, pay any loan she may require to contract, without costing England a farthing.

The resources of Canada are well known to your Lordship.

Her interest in these great works cannot be exaggerated, and must be greatly enhanced by the approaching removal of the seat of Government to Quebec. They would bring her productions to the seaboard at all seasons of the year; connect her by lines of communication with all the other Provinces, and with the Mother Country; preparing the way for a great industrial, if not a political union, of which the citadel of Quebec would ultimately form the centre. That her Government would second any policy by which this might be accomplished, there is no reason to doubt.

My Lord there is one topic of extreme delicacy, perhaps, and yet, so far as my own Province is concerned, I will venture to touch it without hesitation. Some of the British Colonies aspire to obtain notoriety, just now, by spurning from their bosoms the criminals of England, without modestly remembering that some of them, at least, owe their original prosperity to such emigrants, and that thousands are annually tempted or driven into crime in this country, by the absence of employment, and by the resistless pressure which the slightest derangement in this highly artificial state of society creates. I believe that among the 43,000 persons convicted in this country in 1848, some thousands were more to be pitied than condemned. If such persons, organized and disciplined, were employed upon the public works of North America, as has been suggested, I believe that they would ultimately be restored to society, and that the Government would be immediately relieved from serious embarrassment. I do not shrink from the responsibility of making this suggestion, nor will I shrink from my share of the responsibility of carrying it out. The people I represent, my Lord, are generally a religious people; who know that our Saviour had none of the sensitiveness manifested at the Cape. He found some virtue in the poor woman that all the world condemned; and did not consider at least one of the malefactors unworthy of Heaven who were hung beside him.

It has been suggested, that convicts might be advantageously employed on a large scale, in North America, for the construction of a Railroad to the Pacific. I should like to see the experiment tried upon a small scale first; and do not believe that if a judicious selection were made of those whose offences were superinduced by poverty and extreme distress, or of those whose conduct in some probationary course of punishment had been exemplary, the North American Colonies would object to such a trial, if an appropriate choice were made of some locality along a great line in which they feel

feel an interest, and if the men employed were properly officered and controlled by stringent regulations. A corps of 500 might be formed, subject to military organization and discipline, with the usual prospect of promotion to subordinate commands if they behaved well. Summary trial and punishment should be equally certain if they misbehaved; solitary confinement in the Colonial Penitentiaries would be an appropriate punishment if they deserted or committed any new offence. If a portion of comparatively wilderness country were selected for the experiment, the men might have six pence per day carried to their credit from Colonial funds, while they laboured, to accumulate till it was sufficient to purchase a tract of land upon the line, with seed and implements to enable them to get in a first crop when the period of service had expired.

This experiment would, I believe, succeed. It would cost the imperial Government nothing more than it now costs to maintain the people elsewhere. The Colony where they were employed would get the difference between six pence per day and the ordinary rate of wages, to compensate for any risk it might run, and would besides ultimately secure customers for wild lands, and many useful settlers.

In conclusion, my Lord, permit me to crave your indulgence for the length of this communication, which would be an unpardonable intrusion upon your Lordship's time if the topics to be discussed were less numerous or important.

I have, &c.

(Signed)

JOSEPH HOWE.

The Right Hon. Earl Grey, &c. &c. &c.

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

I N D E X.

14^o Victoria—First Session of the Fifteenth General Assembly.

	PAGE
ABSENCE, Leave of,	66, 73, 78, 84, 94
ACCOUNTS, Abstract of Revenue for 1850,	34
ADDRESSES to Her Majesty, In reference to Duties on Foreign Timber and Deals.—Resolution of Assembly thereon, concurred in by the House, 104; Committee of Assembly, 107; Committee to prepare, 107; Report of, and Address, 124; Committee of Assembly to wait on His Excellency, 130; Committee of this House, 130; Report of Committee,	137
On the subject of Earl Grey's Despatch in reference to the Halifax and Quebec Railway.—Resolutions of the Assembly thereon, brought up, 130; concurred in, 131; Committee of Assembly to prepare, 132; Report of Address, 134; Committee to wait on His Excellency, Committee of the Assembly, 136; Report of,	137
On the subject of Elective Legislative Council.—Moved, Committee to prepare, 150; Report of Address, 164; Committee to wait on His Excellency, 164; Report of,	174
On the subject of protecting the Fisheries.—Resolutions thereon from the Assembly, concurred in by the House, 151; Committee of the Assembly to prepare, Committee of this House, 158; Report of Address, 160; Committee to wait on His Excellency, 161; Report of Committee,	171
ADDRESS to Imperial Parliament, Joint Address of both Houses on the Timber Duties,	125
ADDRESSES to His Excellency the Lieutenant Governor, For Copies of Despatches, &c., referring to Elective Legislative Council, 79; Committee to wait on His Excellency, 79; Report of, 80; Despatches, &c.	86
For Returns from the Registrars of Deeds, of Fees, &c. 143; Committee to wait on His Excellency, 143; Report of,	171
On the subject of a retiring allowance to the Honorable Thomas Baillie.—Brought up from Assembly, concurred in by the House, Committee to wait upon His Excellency, 178; Answer,	179
B	
BANKS and COMPANIES, Reports and Returns of, Bank of New Brunswick, 6th January 1851; Commercial Bank, April and October 1850; Saint Stephen Bank, July 1850, and January 1851; Charlotte County Bank, October 1850; Central Bank, June and December 1850; Marine Assurance Company, June 1850, and January 1851; South Bay Boom Company, May 1850, 59; Central Bank, March 1851; Globe Assurance Company,	89
BILLS assented to by the Lieutenant Governor,	92, 108, 142, 179
BILLS originating in Legislative Council, An Act to amend and extend the operations of the Act to incorporate the Fredericton and Saint John Electric Telegraph Company.—Presented and read first time, 35; read second time, 36; committed, reported, 52; read third time and passed, 53; concurred in by Assembly,	62
Relating to the competency of Witnesses in certain cases.—Presented and read first time, 60; read second time, 61; committed, reported, 68; read third time and passed, 70; concurred in by Assembly,	82
For making certain alterations in the Constitution of the Legislative Council of this Province.—Presented and read first time, 62; read second time, 67; committed, progress, 106; re-committed, postponed till next Session,	119
Relating to the appointment of a Gaoler for Saint John.—Presented and read first time, 80; read second time, 81; committed, reported, 83; read third time and passed, 85; concurred in by Assembly,	102
Relating to the Registry of Decrees of Partition in Chancery.—Presented and read first time, 80; read second time, 81; committed, reported, 83; read third time and passed, 85; concurred in by Assembly,	111
To incorporate within this Province the British North American Electric Association.—Presented and read first time, 86; referred to Committee on Corporations, Committee report, 98; read third time and passed, 101; concurred in by Assembly,	132

BILLS originating in Legislative Council—*Continued.*

PAGE

- To amend the Law relating to the administration of Criminal Justice.—Presented and read first time, 98; read second time, 99; committed, reported, 112; read third time and passed, 114; concurred in by Assembly, 139
- Relating to Grand Juries in this Province.—Presented and read first time, 106; read second time, 110; committed, reported, 112; read third time and passed, 114; concurred in by Assembly, 146
- To incorporate the Provident Institution.—Presented, read first and second times, referred to Committee on Corporations, 123; Committee report, 129; committed, reported, 136
- To incorporate the Joint Committee of the Legislative Library.—Presented and read first and second times, 123; referred to Committee on Corporations, 123; Committee report, 129; committed, progress, 134; re-committed, progress, 139; re-committed, reported, 143; read third time and passed, 144
- In further amendment of the Law.—Presented and read first time, 141; read second time, 143; committed, progress, 144; re-committed, reported, 149; read third time and passed, 150; concurred in by Assembly with amendments, 159; concurred in, 160
- To authorize the Barrister's Society to sell the Law Library.—Presented and read first time, 142; read second time, 143
- To alter the Law relating to Joint Tenancy.—Presented and read first time, 143; read second time, 144; committed, reported, 149; read third time and passed, 150
- BILLS from the House of Assembly,
- To incorporate the Miramichi and Richibucto Electric Telegraph Company.—Brought up, read first and second times, referred to Committee on Corporations, 27; Report of Committee, amended, reported, 32; read third time and passed, 36; concurred in by Assembly, 49
- For erecting the Parish of Caraquet in the County of Gloucester, into two separate Parishes.—Brought up and read first time, 41; read second time, 45; committed, progress, 49; re-committed, reported, 51; read third time and passed, 53
- To incorporate the Hillsborough Plaister and Rail Road Company.—Brought up, read first and second times, referred to Committee on Corporations, 45; Report of Committee, reported, 51; read third time and passed, 53
- To establish the Road leading from the Baptist Meeting House in the Parish of Upham, &c. as one of the Great Roads of Communication.—Brought up and read first time, 45; read second time, 49; committed, progress, 54; re-committed, further progress, 58; re-committed, reported, 107; read third time and passed, 110
- To repeal an Act to provide for Streets and Bridges in part of the Parish of Saint Stephen.—Brought up and read first time, 45; read second time, 49; committed, *postponed for three months*, 52
- To authorize the Justices of Gloucester to assess the County, &c.—Brought up and read first time, 50; read second time, 51; committed, progress, 54; re-committed, reported, 56; read third time and passed, 57
- To incorporate Woodstock Farmers and Mechanics' Library Society.—Brought up, read first and second times, referred to Committee on Corporations, 52; Report of Committee, 55; committed, reported, 57
- To incorporate Restook Falls Canal and Mill Company.—Brought up, read first and second times, referred to Committee on Corporations, 52; Report of Committee, 55; committed, progress, 58; re-committed, amended, reported, 62; read third time and passed, 64; concurred in by Assembly, 77
- To incorporate Saint Stephen Rail Road Company.—Brought up, read first and second times, referred to Committee on Corporations, 55; Report of Committee, 58; committed, amended, reported, 65; read third time and passed, 66; concurred in by Assembly, 78
- To empower Trustees of Glebe Lands in Monkton to sell, &c.—Brought up and read first time, 55; read second time, 57; committed, reported, 59; read third time and passed, 61
- To continue an Act to empower owners of Saw Mills on Hammond River to keep Booms, &c.—Brought up and read first time, 56; read second time, 57; committed, reported, 63; read third time and passed, 64
- To suspend the operation of Militia Laws.—Brought up and read first time, 56; read second time, 57; committed, progress, 62; re-committed, further progress, 84; re-committed, amended, reported, 100; read third time and passed, 103; concurred in by Assembly, 113
- To incorporate the European and North American Railway Company.—Brought up, read first and second times, referred to Committee on Corporations, 56; Report of Committee, 59; committed, amended, reported, 60; read third time, additional amendments moved, passed, 73; concurred in by Assembly, 84
- In further amendment of an Act for granting Patents, &c.—Brought up and read first time, 56; read second time, 57; committed, progress, 68; re-committed, amended, reported, 84; read third time and passed, 85; concurred in by Assembly, 102

BILLS from the House of Assembly— <i>Continued.</i>	PAGE
To provide for the services of the Speaker and Members of the House of Assembly.—Brought up and read first time, 60; read second time, 61; committed, <i>postponed for three months</i> ,	155
To incorporate the Musquash and Digdeguash Brook River Driving Company.—Brought up, read first and second times, referred to Committee on Corporations, 60; Report of Committee, 95; committed, amended, reported, 96; read third time and passed, 97; concurred in by Assembly,	104
To establish the Road from Lower Trout Brook Bridge, &c. as one of the Great Roads, &c.—Brought up and read first time, 60; read second time, 61; committed, reported, 67; read third time and passed,	103
To continue an Act to commute Crown Debts in certain cases.—Brought up and read first time, 66; read second time, 67; committed, reported, 68; read third time and passed,	71
To repeal the third Section of an Act erecting a part of the Parishes of Saint Mary's and Queensbury into a separate Parish.—Brought up and read first time, 66; read second time, 67; committed, progress, 68; re-committed, <i>postponed for three months</i> ,	83
To provide for the appointment of Commissioners for the Alms House in the County of York.—Brought up and read first time, 66; read second time, 67; committed, progress, 69; re-committed, reported, 72; read third time and passed,	73
To authorize the Governor and Trustees of the Madras School to sell Land in Fredericton, &c.—Brought up and read first time, 66; read second time, 67; committed, amended, reported, 71; read third time and passed, 73; concurred in by Assembly,	80
To authorize the Justices to sell the Gaol Lot in Fredericton.—Brought up and read first time, 66; read second time, 67; committed, amended, reported, 69; read third time and passed, 71; concurred in by Assembly,	78
To divide the Parish of Glenelg into two Parishes.—Brought up and read first time, 69; read second time, 71; committed, reported, 76; read third time and passed,	77
To make further provision for the service of non-bailable Process.—Brought up and read first time, 69; read second time, 71; committed, reported, 76; read third time and passed,	77
To amend the Act to consolidate the Laws relating to the local government of Counties, Towns and Parishes, so far as relates to the County of Victoria.—Brought up and read first time, 70; read second time, 71; committed, <i>postponed for three months</i> ,	122
In addition to the Laws relating to Inland Posts.—Brought up and read first time, 70; read second time, 71; committed, reported, 76; read third time and passed,	77
To continue and amend the Act for establishing, &c. a Police Force in Portland.—Brought up and read first time, 70; read second time, 71; committed, reported, 85; read third time and passed,	89
To establish Polling Places in Wickham, County of Queen's.—Brought up and read first time, 72; read second time, 75; committed, progress, 77; re-committed, amended, reported, 90; read third time and passed, 91; concurred in by Assembly,	94
To amend the Act relating to the government of Counties, Towns and Parishes.—Brought up and read first time, 76; read second time, 77; committed, progress, 81; re-committed, further progress, 103; re-committed, reported, 168; read third time and passed,	169
To exclude certain Officers from the Assembly.—Brought up and read first time, 76; read second time, 77; committed, <i>postponed until next Session</i> ,	104
To extend the privilege of solemnizing Marriage to Mr. Wisbart, &c.—Brought up and read first time, 76; read second time, 77; committed, progress, 81; re-committed, amended, reported, 120; read third time and passed, 122; concurred in by Assembly,	141
To amend the Act relating to Buoys and Beacons, &c. Restigouche.—Brought up and read first time, 78; read second time, 78; committed, reported, 85; read third time and passed,	89
To provide for laying down Sewers in Saint John.—Brought up and read first time, 78; read second time, 80; committed, progress, 84; re-committed, progress, 120; re-committed, amended, reported, 167; read third time and passed, 170; concurred in by Assembly,	172
To alter and amend the Act to incorporate the New Brunswick Agricultural Society, &c.—Brought up and read first time, 78; read second time, 80; committed, reported, 82; read third time and passed,	82
To amend an Act relating to improving Streets and Bridges in part of the Parish of Saint Stephen.—Brought up and read first time, 79; read second time, 80; committed, reported, 82; read third time and passed,	83
To incorporate the Orthodox Church at Mill Town.—Brought up and read first time, 80; read second time, referred to Committee on Corporations, 81; Report of Committee, 90; committed, reported, 91; read third time and passed,	92

BILLS from the House of Assembly—*Continued.*

	PAGE
To amend the Act relating to Churches in connexion with the Established Church of Scotland.—Brought up and read first time, 80; read second time, 81; committed, amended, reported, 127; read third time and passed, 133; concurred in by Assembly,	141
To repeal third Section of Act granting Bounty on Bears and Wolves.—Brought up and read first time, 82; read second time, 83; committed, reported, 90; read third time and passed,	91
For shortening the language of Acts of Assembly.—Brought up and read first time, 92; read second time, 93; committed, amended, reported, 100; read third time and passed, 102; concurred in by Assembly,	108
To incorporate the Northumberland Straits Fishing Company.—Brought up, read first and second times, referred to Committee on Corporations, 93; Report of Committee, 94; committed, amended, reported, 95; read third time and passed, 96; concurred in by Assembly,	99
To repeal the Act relating to Trade between the Provinces, &c.—Brought up and read first time, 95; read second time, 96; committed, progress, 106; re-committed, amended, reported, 133; read third time and passed,	138
Relating to the Navigation of the Harbour of Saint John.—Brought up and read first time, 97; read second time, 97; committed, reported, 129; read third time and passed,	132
Imposing Duties for raising a Revenue.—Brought up and read first time, 97; read second time, 97; committed, reported, 99; read third time and passed,	102
To facilitate the construction of the European and North American Railway.—Brought up and read first time, 98; read second time, 99; committed, reported, 102; read third time and passed,	103
To facilitate the Saint Andrews and Quebec Railway.—Brought up and read first time, 98; read second time, 99; committed, reported, 102; read third time and passed,	103
To reduce the Fees of Registrars of Deeds, &c.—Brought up and read first time, 102; read second time, 103; committed, <i>postponed for three months.</i>	107
To authorize the issue of Treasury Debentures for Fredericton, &c.—Brought up and read first time, 104; read second time, 106; committed, progress, 111; read third time and passed,	114
Relating to the City of Fredericton.—Brought up and read first and second times, 108; Order to go into Committee three months hence,	121
To secure to married Women real and personal Property held in their own right, &c.—Brought up and read first and second times, 112; committed, progress, 120; re-committed, amended, reported, 129; read third time and passed, 133; concurred in by Assembly,	141
To provide for the establishment of Municipal Authorities in this Province.—Brought up, read first and second times, referred to Committee on Corporations, 113; Order rescinded, committed, progress, 121; re-committed, reported, 123; read third time and passed,	127
To consolidate and amend the Laws relating to Light Houses, &c.—Brought up and read first time, 111; read second time, 119; committed, progress, 120; re-committed, reported, 133; read third time and passed,	138
To reduce the Costs in Actions in the Supreme Court.—Brought up and read first time, 132; read second time, 133; committed, progress, 139; re-committed, amended, reported, 140; read third time and passed, 142; concurred in by Assembly,	145
Relating to the levying and collecting of Rates in Saint John, &c.—Brought up and read first time, 136; read second time, 138; committed, progress, 140; re-committed, progress, 146; re-committed, amended, reported, 167; read third time and passed, 170; concurred in by Assembly,	172
To alter and amend the Act for raising a Revenue, &c.—Brought up, read first and second times, committed, reported, 137; read third time and passed,	138
To incorporate the Simonds Agricultural Society.—Brought up, read first and second times, referred to Committee on Corporations, 141; Report of Committee, 147; committed, amended, reported, 149; read third time and passed, 150; concurred in by Assembly,	152
To provide for the free transmission of Newspapers, Tracts, &c.—Brought up and read first time, 142; read second time, 143; committed, reported, 144; read third time and passed,	145
To revive an Act for the better payment of Petit Jurors, &c.—Brought up and read first time, 144; read second time, 145; committed, reported, 146; read third time and passed,	148
To revive and continue the Act to regulate Sales by Auction, &c.—Brought up, and read first time, 146; read second time, 146; committed, reported, 149; read third time and passed,	150
To repeal the several Acts relating to the incorporation of the City of Fredericton.—Brought up and read first time, 147; read second time, 148; committed, progress, 152; re-committed, amended, reported, 153; read third time and passed, 155; concurred in by Assembly,	158

INDEX.

vi

BILLS from the House of Assembly— <i>Continued.</i>	PAGE
In addition to and amendment of the Acts for the collection and protection of the Revenue.—Brought up and read first time, 147; read second time, 148; committed, reported, 151; read third time and passed,	152
To revive and continue an Act to prevent trespasses and to protect Timber on Crown Lands, &c.—Brought up and read first time, 147; read second time, 148; committed, reported, 148; read third time and passed,	150
In addition to and declaratory of the Acts relating to Legal Tender, &c.—Brought up and read first time, 147; read second time, 148; committed, progress, 151; re-committed, amended, reported, 168; read third time and passed, 170; concurred in by Assembly,	172
To incorporate the Grand Lake, Queen's County, Agricultural Society.—Brought up, read first and second times, referred to Committee on Corporations, 147; Report of Committee, 152; committed, amended, reported, 153; read third time and passed, 155; concurred in by Assembly,	160
In amendment of an Act for the better prevention of Illicit Trade.—Brought up and read first time, 149; read second time, 151; committed, amended, reported, 156; read third time and passed, 156; concurred in by Assembly,	160
To appropriate part of the Revenue for Ordinary Services, &c.—Brought up and read first time, 151; read second time, 152; committed, reported, 153; read third time and passed,	155
To establish the Road leading from Great Road from Fredericton to the Finger Board, &c. a Great Road.—Brought up and read first time, 158; read second time, 160; committed, reported, 163; read third time and passed,	170
To incorporate the Sussex and Studholm Agricultural Society.—Brought up, read first and second times, referred to Committee on Corporations, 158; Report of Committee, committed, amended, reported, 169; read third time and passed, 170; concurred in by Assembly,	172
To incorporate the County of Kent Agricultural Society.—Brought up, read first and second times, referred to Committee on Corporations, 159; Report of Committee, committed, amended, reported, 168; read third time and passed, 170; concurred in by Assembly,	173
To revive and continue certain Acts of Assembly providing for expenses of the Legislature.—Brought up and read first time, 159; read second time, 160; committed, reported, 163; read third time and passed,	170
To enable certain persons who have obtained Certificates under Bankrupt Acts, to proceed to Confirmation, &c.—Brought up and read first time, 159; read second time, 160; committed, amended, reported, 163; read third time and passed, 170; concurred in by Assembly,	172
To incorporate the Upham Agricultural Society.—Brought up, read first and second times, referred to Committee on Corporations, 166; Report of Committee, 169; committed, amended, reported, 170; read third time and passed, 170; concurred in by Assembly,	172
Further to facilitate the construction of the European and North American Railway.—Brought up and read first and second times, 171; committed, reported, read third time and passed,	172
To impose Duty on Hackmatack or Juniper Knees, &c.—Brought up and read first and second times, 174; committed, reported, read third time and passed,	175
Relative to recognizances for the appearance of persons on Criminal charges.—Brought up and read first and second times, committed, reported, read third time and passed,	175
To suspend an Act relating to the Navigation of the River and Harbour of Saint John.—Brought up and read first and second times, committed, reported, read third time and passed,	175
To provide for opening Roads and erecting Bridges, &c.—Brought up and read first and second times, committed, reported, read third time and passed,	176
For the protection and regulation of the Sea and River Fisheries of this Province.—Brought up and read first and second times, committed, amended, reported, read third time and passed, 176; concurred in by Assembly,	178
To appropriate part of the Public Revenue, &c.—Brought up and read first and second times, 178; committed, reported, read third time and passed,	179
BROWN, Hon. James, Takes his Seat as a Member of the Legislative Council,	10

C	
COMMITTEES,	
Of the whole House on Resolutions of Appropriation,	65
Select,	
To Report upon Bills relating to Corporations, 14; Report of, 32; further Report, 51; further Report, 55; further Report, 58; further Report, 59; further Report, 90; further Report, 94; further Report, 95; further Report, 98; further Report, 129; further Report, 147; further Report, 152; further Report,	169
On subject of Reporting Debates,	37
To examine and Report upon the Bill relating to the Navigation of the River and Harbour of Saint John, 105; Report of,	123
To examine and Report on the Contingent Expenses of the House, 174; Report of,	177
CONNELL, Hon. Charles,	
Takes his Seat as a Member of the Legislative Council,	10
G	
GOVERNOR, Lieutenant,	
Opens the Session, Speech, 7; Address in answer moved, Order thereon, 10; committed, reported, adopted, Address, 11; Committee appointed to inquire when it would be received, 13; Report of, 13; presented and Answer of His Excellency, 14; Speech at close of the Session,	181
H	
HOUSE,	
Order for call of, 68; called over,	99
Divisions of,	
On amendment to Bill referring to Gaol Lot, Fredericton,	69
On Elective Legislative Council Bill,	119
On Municipal Authorities Bill,	123
On reduction of Fees in Actions,	140
On the Address in reference to Elective Legislative Council,	164
On the subject of refunding Colonial Duties,	173
On the suspension of Bill relating to Navigation of River and Harbour of Saint John,	176
J	
JOURNALS of the House,	
Order to Print,	10
L	
LIBRARY, Legislative,	
Committee of the Assembly for,	16
LUNATIC ASYLUM,	
Report of Commissioners for 1850,	56
M	
MESSAGES from the Lieutenant Governor,	
Communicating the Birth of another Prince,	16
Relating to Engrossing of the Provincial Acts,	17
Copy of Despatch from Colonial Secretary on the subject of an Elective Legislative Council,	18
Extracts and Copies of Despatches on Commercial subjects, on Rail Roads, and on British Seamen,	19 to 27
Extracts of a Despatch in reference to Surplus Civil List and other matters connected therewith,	29
Correspondence relating to the Canadian Boundary,	37
Copy of Circular, &c. referring to Postage on Printed Books, Magazines and Pamphlets,	42
Copy of Despatch, &c. from Colonial Secretary, on the Quebec and Halifax Rail Road,	113
MOTIONS,	
Notice of, on an Address to His Excellency for copies of Despatches,	72
O	
ODELL, Hon. William H.	
Takes his Seat as a Member of the Legislative Council,	14
P	
POLICE, Portland,	
Report of Commissioners for 1850,	56

PETITIONS,

Academies and Schools.

	PAGE		PAGE
James M'Cormick,	28	Mary M. Leggett,	48
Mary O'Niel,	do	William Henry Lockett,	do
Elizabeth Bryson,	do	Elizabeth Wilson,	do
Henry H. Shaw,	do	James D. Turner,	do
Patrick Sheals,	do	Committee Roman Catholic School, St. Andrews,	do
Mary Rodgers,	do	Mary Ann Fraser,	do
James M'Bride,	do	Mary Grant,	do
James M'Connachie,	do	Thomas Brown,	50
Isabella Fogg,	do	Benjamin S. Bailey,	do
William H. Hardie,	35	Jane Austen,	57
Rachel Martin,	do	Edward W. Guest,	60
Charlotte H. Turner,	do	Wesleyan Academy,	do
James F. Gooldrup,	36	Charles Shelton,	63
Jane M. Beckwith,	do	Elizabeth M'Cann,	64
Daniel M'Namara,	42	Henry Frazer,	do
John Moore,	do	Jacob M'Lellan,	do
Arthur M'Nutt Taylor,	44	Melinda J. Allen,	70
Margaret Grant,	do	Thomas O'Kane,	89
Thomas M'Curdy,	do	Jonathan Carmalt,	do
Thomas H. Black,	47	Lawrence O'Regan,	91
John M'Court,	do	Charles Simonds, Jun. and another,	110
Rachel M'Callum,	do	Elizabeth Thompson,	do
Sarah Ann Turner,	do	George Cummings,	156
Mary Carlisle,	48	John Walsh,	do
George M'Elhinney,	do		

For, against, and to amend, Acts of Assembly.

J. W. Weldon and others,	15	Rev. J. G. C. Austin and others,	46
Justices for City and County of Saint John,	do	Abraham M'Gee and others,	do
John G. Layton and others,	do	J. F. Godard and others,	do
Peter Morrison and others,	do	William Vail and others,	do
James Stickney,	do	Walker Tisdale and others,	do
Grand Jury of the County of Carleton,	do	James Long and others,	do
Joseph Harvey and others,	do	R. C. Minnette and others,	do
John Dibblee and others,	28	James Bartrim and others,	do
William B. Tompkins and others,	do	Nathaniel Adams and others,	do
Isaac Carvill and others,	do	B. Ansley and others,	do
Alfred F. Gallop and others,	do	John M'Cready and others,	do
William Sherer,	do	E. W. Stephenson and others,	do
Cochran Craig and others,	do	John Corbett and others,	do
Saint Andrews and Quebec Railway Company,	35	Archibald M'Allister and others,	do
Samuel Easterbrooks and others,	do	John C. Tapley and others,	do
H. B. Sharp and others,	do	David Willigar and others,	do
Josiah Brown and others,	do	B. Beveridge and others,	do
William Flemming and others,	do	Rev. Elias Keirstead and others,	do
John Bennett and others,	do	William Allingham and others,	do
William Tompkins and others,	do	Ebenezer Smith and others,	do
Mark Trafton and others,	do	William Wiggins and others,	do
Mayor, Aldermen and Commonalty of St. John,	35 & 36	George Jones and others,	do
James M'Kee and others,	do	William Haining and others,	do
Governor and Trustees of Madras School,	do	Henry Baird and others,	do
Ferguson, Rankin & Co.	41	Rev. John Rice and others,	do
Valentine Pickard and others,	do	Peters Yeamans and others,	do
Robert Baird and others,	42	James A. Reeve and others,	do
Benjamin Yerxa and others,	do	Rev. Thomas M'Ghee and others,	do
D. B. Shelton and others,	do	John Britain and others,	do
Joseph Kilpatrick and others,	do	John Robinson and others,	do
Samuel Easterbrooks and others,	do	Henry H. Scovil and others,	do
Nehemiah Marks and others,	do	Robert Golding and others,	do
David Tapley and others,	44	Joseph S. Holyoke and others,	do
Carleton Division No. 11 Sons of Temperance,	do	Samuel Coy and others,	do
Grand Division. Sons of Temperance,	do	Solomon Parent and others,	do
Henry Gilbert and others,	45	C. M'Pherson and others,	do
Henry Gilbraith and others,	46	Elias S. Wetmore and others,	do

PETITIONS—Continued.

For, against, and to amend, Acts of Assembly.

	PAGE		PAGE
Benjamin Lester and others,	46	James A. Miles,	64
William Olive and others,	47	Rev. Ingham Sutcliffe,	70
Mrs. J. Wood and others,	do	Samuel Strange and others,	do
William H. Robertson and others,	do	Robert Foulis,	72
William J. Berton,	do	Stephen Wiggins and others,	79
Jacob Young and others,	48	Cochran Craig and others,	do
Patrick Campbell,	do	Asa Upton and others,	89
Mariner's Division, Sons of Temperance,	50	John Crear and others,	do
George Darrah and others,	do	William O. Smith and others,	90
John Kembal and others,	do	Robert Keltie and others,	91
J. Brittain and others,	do	Justices of Saint John,	do
John Wightman and others,	do	Henry Gilbert and others,	do
Samuel P. White,	54	Inhabitants of Kingston,	94
Henry V. Vradenburgh and others,	do	William Wright and others,	98
George Black and others,	do	George Bond and others,	101
Samuel Scovil and others,	do	Alexandre Petrie and others,	do
Charles Gidney and others,	do	Mayor, Aldermen and Commonalty of St. John,	105
Gilbert R. Merritt and others,	do	Henry Jones and others,	do
William Henry Buckenfield and others,	57	Charles Perley and others,	do
Samuel Foster and others,	60	William G. Lawton and others,	109
C. A. Hammond and others,	61	William End,	do
Benjamin Beveridge and others,	do	William M'Leod and others,	do
George Johnson and others,	do	J. W. Weldon and others,	do
South Bay Boom Company,	do	Henry Chubb and others,	119

For remuneration, relief, and pecuniary aid.

Alexander Robb,	15	John Caton,	50
James Wilson,	do	Justices of County Gloucester,	do
James W. Street,	27	Pascal Landry,	do
Thomas Moses,	28	John Doran,	do
Benjamin P. Griffith,	do	Robert Morrison and others,	do
James H. Whitlock,	do	Queen's Division, No. 21, Sons of Temperance,	52
William Mahood,	35	Andrew Blair,	do
Magdalen Schureman,	do	Charles Stewart,	do
William J. Bedell and Asa Coy,	do	William Napier,	53
Justices of the City and County of Saint John,	36	David Crooker,	do
Governor and Trustees Madras School,	do	John Rennie,	do
Mechanics' Institute, Woodstock,	42	W. H. Williams,	do
Robert Parker,	44	Thomas Jones,	do
William Sharp,	do	Oliver Richard,	do
John Wiggins,	do	Mrs. M'Lauchlan,	54
William Heron,	do	John Allingham,	do
Alexander Moore,	do	Justices of Northumberland,	do
John W. Holderness and another,	do	Thomas Robson,	56
Mayor, Aldermen and Commonalty of St. John,	47	William Grieves,	60
Thomas M'Avity,	do	N. S. Hooper,	do
Thomas W. Smith,	do	Alexander Wilson,	61
James M'Grath,	do	Simon Hebert,	do
Trustees Temperance Hall, Carleton, St. John,	do	John M'Intosh,	64
Robert Rankin & Co.	do	Mechanics' Institute, St. John,	do
Alexander Cantley,	do	John Turner,	do
John Wilson,	do	Moses Spragg,	do
Thomas W. Underhill and others,	do	Solomon Lawson and another,	66
Dugald Blair,	48	John Burns,	72
John C. Murchie,	do	Thomas P. Marter and others,	do
Richard M'Ghee,	do	Thomas Carman,	76
James Malone,	do	John Howe,	80
John Wilson,	48 & 49	John Andrews,	91
Thomas Fulton,	50	James S. Knowles,	do
Mechanics' Institute, Newcastle,	do	Northumberland Division, No. 37, S. of T.	105
Temperance Hall, Chatham,	do	James S. Morse,	111
John T. Williston and another,	do	James Whitney,	139
Patrick Dignum,	do		

PETITIONS—Continued.

Old Soldiers and Widows of Old Soldiers.

	PAGE		PAGE
Rosanna Palk,	15	Mary Pratt,	47
Ruth M'Farlane,	do	Margaret Grierson,	48
Mary Whelpley,	47	Hannah M'George,	do
James Moran,	do	Mary Hickey,	63
Sabra Lyon,	do	Rachel Cornelison,	do
Mercy M'Nichol,	do	Abigail M'Key,	do
Jane Hawkins,	do	Mary Green,	64

For Return Duties.

Saint John Water Company,	36	F. W. Hatheway,	64
Messieurs Gilmour, Rankin & Co.	47 & 53	John M'Intosh,	do
George M. Porter,	48	James O'Connor,	do
Zachariah Chipman,	do	Doherty & M'Tavish,	72
Fredericton and St. John Electric Telegraph Co.	do	Thomas E. Millidge,	do
Fredericton Gas Light Company,	do	Rev. James Hudson,	89
Spafford Barker,	do	W. J. Fraser,	do
William Grosvenor,	49	Thomas Philips,	111
William Philips,	64		

For Legislative interference.

H. Gilbert and others,	44	Thomas Allan and others,	48
Thomas Miller and others,	45	Charles Perley and others,	79

R

RAILWAY, Quebec and Halifax, Resolution in reference to Earl Grey's Despatch, 130; Address thereon,	134
--	-----

RESOLUTIONS of Appropriation,									
Dated 24th and 26th February—Brought up, 62; concurred in, with exceptions,									108
Dated 25th March—Brought up, 109; concurred in,									113
Dated 23th " Brought up, 111; concurred in,									137
Dated 31st " Brought up, 112; concurred in,									113
Dated 1st April, Brought up, 124; concurred in,									137
Dated 4th " Brought up, 132; concurred in,									137
Dated 3d " Brought up, 136; concurred in,									138
Dated 5th & 7th, Brought up, 139; concurred in,									141
Dated 8th " Brought up, 141; concurred in,									141
Dated 9th " Brought up, 144; concurred in,									145
Dated 11th " Brought up, 146; concurred in,									157
Dated 19th " Brought up, 157; concurred in,									157
Dated 21st " Brought up, 157; concurred in,									157
Dated 22d " Brought up, 159; concurred in,									166
Dated 23d " Brought up, 166; concurred in,									166
Dated 24th " Brought up, 166; concurred in,									166
Dated 25th " Brought up, 171; concurred in,									171
Dated 25th " Brought up, 177; concurred in,									178

RESOLUTIONS Joint, of both Houses, In reference to refunding at the next Session Duties on Wheat.—Brought up from the Assembly, concurred in by this House with certain exceptions,	173
In reference to retiring allowance to the Honorable Thomas Baillie,	178

S

SIMPSON, John, Esquire, Letter from, Order thereon,	174
--	-----