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


From TUESDAY the 20th of JANUARY, to SATURDAY the
21st of FEBRUARY, 1801.



SAINT JOHN:
Printed by JOHN RYAN, N^o. 58, Prince William-Street,
PRINTER to the KING'S MOST EXCELLENT MAJESTY.

1801.





JOURNAL and VOTES

OF THE

HOUSE OF ASSEMBLY

OF THE

PROVINCE OF NEW-BRUNSWICK.

House of Assembly,

TUESDAY, 20th JANUARY, 1801.

THE GENERAL ASSEMBLY having been prorogued to this day—when a sufficient number of Members to compose a House not attending—Adjourned until Saturday.

SATURDAY, 24th JANUARY, 1801.

The House being met pursuant to adjournment—

The Clerk of the Crown attended with the Writ for the Election of a Member for the County of Charlotte, in the room of *David Owen*, Esq.—by the return of which *Ninian Lindsey*, Esq. appeared to be duly elected.

Ordered, That Mr. *Robert Pagan* and Captain *Agnew* attend to see him qualified before the Commissioner appointed for that purpose.

The House then adjourned until Monday next at eleven of the clock.

MONDAY, 26th JANUARY, 1801.

The Members appointed to attend Mr. *Lindsey*, in order to see him duly qualified, reported, that they had attended accordingly, and that he had taken the usual oaths.

Thereupon ordered, That he take his seat.

A Message from His Excellency the Lieutenant Governor requiring the attendance of this House in the Council Chamber.

The House attended accordingly—and being returned, and the Speaker having taken the Chair—

Read the first time, a bill “for regulating Highways, Roads and Bridges.”

Mr. *Speaker* then reported, that the House had attended His Excellency the Lieutenant Governor in the Council Chamber, where His Excellency was pleased to open the Session with a Speech to both Houses; and that, to prevent mistakes, he had procured a copy of the same, which he read to the House, and is follows, viz.—

“Gentlemen

“ *Gentlemen of the Council,*

“ *And Gentlemen of the Assembly,*

“ DURING the period which has elapsed since our last meeting, we have
 “ continued to enjoy internal peace and tranquillity; and I have been
 “ able, without public inconvenience, to defer calling you from your private
 “ affairs till now, when the Revenue Laws, passed at the last Session, are near
 “ expiring. The continuance of these Laws, with such additions or amend-
 “ ments as may be found requisite for the present service or future prosper-
 “ ity of the Province, is the principal object which I have now to recom-
 “ mend to your deliberation.

“ *Gentlemen of the Assembly,*

“ I have given orders for the Treasurer’s accounts, and such other papers
 “ as may be necessary for your further information, to be laid before you.

“ The salutary measure of extending the Revenue Acts of the last Session
 “ to the term of two years, has been productive of a considerable saving to
 “ the Treasury, which, I have the satisfaction to inform you, is now in a
 “ condition to answer every demand on account of past services.

“ *Gentlemen of the Council,*

“ *And Gentlemen of the Assembly,*

“ I cannot here omit to congratulate with you on the providential preserva-
 “ tion of His Majesty’s life, on a late occasion of imminent danger, and to
 “ express that grateful sense of the Divine favor, in that instance manifested
 “ to our Country, which must have been deeply impressed on the mind of
 “ every loyal subject of a Sovereign so truly and so deservedly beloved and
 “ venerated.”

On motion of Captain *Agnew*—

Resolved, That an humble Address be presented to His Excellency the Lieu-
 tenant Governor in answer to the foregoing Speech.

Ordered, That Captain *Agnew*, Mr. *Robert Pagan*, Mr. *Gay*, Mr. *Gilbert*,
 and Mr. *Peters*, be a Committee to prepare the same.

The consideration of His Excellency’s Speech is postponed until Thursday.

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

TUESDAY, 27th JANUARY, 1801.

Captain *Agnew* from the Committee appointed to prepare an Address in
 answer to His Excellency’s Speech, reported—

That the Committee had agreed to a draught of the same, which he read
 in his place, and then delivered in at the Clerk’s table; where the same was
 again read, and agreed to by the House, and is as follows, viz.

“ *To His Excellency* THOMAS CARLETON, *Esquire,*

“ *LIEUTENANT GOVERNOR and COMMANDER in CHIEF*

“ *of the Province of NEW-BRUNSWICK, &c. &c. &c.*

“ The Humble ADDRESS of the HOUSE of ASSEMBLY.

“ *May it please Your Excellency!*

“ TO accept the sincere Thanks of the House for your obliging Speech at
 “ the opening of this Session of the General Assembly.

“ The House recognize, with great satisfaction, the internal peace and
 “ tranquillity, which, during the period elapsed since their last meeting, the
 “ Country, under the auspicious administration of Your Excellency, conti-
 “ nues to enjoy: And that, without public inconvenience, Your Excellency
 “ has been enabled to defer calling them together until the Revenue Laws,
 “ passed at the last Session were near expiring. The House will give their
 “ immediate

“ immediate attention to the continuance of these Laws, with such additions
 “ or amendments as may be found requisite for the present service or future
 “ prosperity of the Province, and which they will now make the principal
 “ object of their deliberations.

“ The House thank Your Excellency for the orders you have been pleased
 “ to give that the Treasurer’s accounts, and such other papers as may be ne-
 “ cessary for their further information, be laid before them.

“ The House are extremely happy to find that the salutary measure of ex-
 “ tending the Revenue Acts of the last Session to the term of two years, has
 “ been productive of a saving to the Treasury sufficient to answer every de-
 “ mand on account of past services.

“ The House of Assembly are most sensibly affected by the congratulations
 “ of Your Excellency on the providential preservation of His Majesty’s life,
 “ on a late occasion of imminent danger, and devoutly wish to express, with
 “ Your Excellency, their grateful sense of the Divine favor, in that instance
 “ manifested, and which must have been deeply impressed on the mind of
 “ every loyal subject of a Sovereign so truly and so deservedly beloved and
 “ venerated.”

Resolved, That the said Address be presented to His Excellency the Lieute-
 nant Governor by the whole House.

On motion made and seconded—

Resolved, That *David Fanning*, Esq. one of the Members for King’s County
 in General Assembly, having been convicted of a Felony in the Supreme
 Court of this Province, be expelled this House; and he is hereby expelled
 accordingly.

Ordered, That the Speaker direct his Warrant to the Clerk of the Crown
 to issue a Writ for the Election of a Member to represent King’s County in
 the room of the said *David Fanning*.

On motion of Captain *M’Lean*—

Resolved, That the Reverend *James Bisset* be, and he hereby is appointed
 Chaplain to this House.

The Speaker communicated to the House a letter received from *Thomas
 Street*, Esq. during the recess, together with his answer thereto.

Ordered, That Captain *M’Lean*, Mr. *Simonds*, and Mr. *Siddall*, be a Com-
 mittee to examine and report such Laws as have expired, or are near expiring.

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

WEDNESDAY, 28th JANUARY, 1801.

PRAYERS.

Ordered, That Colonel *Ellegood* and Mr. *Lindsey* wait upon His Excellency
 the Lieutenant Governor to know when he will be pleased to receive this
 House with their Address in answer to His Excellency’s Speech.

Mr. *Siddall*, by leave, brought in a bill to repeal an Act made and passed
 in the thirty-seventh year of His Majesty’s Reign, intituled “ an Act to alter
 “ and amend an Act passed in the twenty-sixth year of His Majesty’s Reign,
 “ intituled ‘ an Act for preventing Trespasses’—

Which Bill was read the first time.

The Committee appointed to examine and report such Laws as have expi-
 red, or are near expiring, made a report—which was read, and ordered to
 lie on the table.

Ordered, That Captain *M’Lean* and Mr. *Robert Pagan*, be a Committee to
 bring in a bill to continue an Act intituled “ an Act for regulating, laying
 “ out, and repairing Highways and Roads, and for appointing Commis-
 “ sioners

“ fioners and Surveyors of Highways within the severall Towns or Parishes
 “ in this Province, and for suspending for a limited time all the Laws now
 “ in force relating to the same.”

Mr. *Youngbusband*, by leave, brought in a bill “ for the further and better
 “ support of the Poor in the City of Saint John”—

Which bill was read the first time.

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

THURSDAY, 29th JANUARY, 1801.

PRAYERS.

THE Members appointed to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive this House with their Address in answer to His Excellency's Speech, reported, that they had waited upon His Excellency accordingly—and that he was pleased to say he would receive the House with the same this day at two of the clock.

A Message from His Excellency the Lieutenant Governor, with the Treasurer's General Account Current with the Province—the Light-House Account—a list of Warrants—and a list of Province Debts.

Ordered, That the said Accounts be referred to a Select Committee to examine the same and report thereon.

Captain *Agnew*, Mr. *William Pagan*, and Mr. *Gay*, are appointed for that purpose.

Read the second time—a bill to repeal an Act made and passed in the thirty-seventh year of His Majesty's Reign, intituled “ an Act to alter and
 “ amend an Act passed in the twenty-sixth year of His Majesty's Reign,
 “ intituled ‘ an Act for preventing Trespasses ’ and a bill “ for the further
 “ and better support of the Poor in the City of Saint John.”

Ordered, That the said bills be committed.

A Petition from *Andrew Crookshank* on behalf of *John M. Monagle*, Esq. of Windsor, in the Province of Nova-Scotia, was presented to the House and read, setting forth that Provincial duties have been paid in this Province upon Merchandize imported for the consumption of the Province of Nova-Scotia—and praying that the said duties may be refunded.

Ordered, That the said Petition lie on the table.

The House then waited upon His Excellency the Lieutenant Governor with their Address in answer to His Excellency's Speech—

And being returned, Mr. *Speaker* took the Chair and reported—that the House had waited upon His Excellency the Lieutenant Governor with their said Address, and that His Excellency was pleased to make the following Reply thereto, viz.

“ *Gentlemen*,

“ I THANK you for the assurance you give me of an immediate attention
 “ to the business which I have recommended to your deliberation, and
 “ for the expressions of approbation which accompany this pledge of your
 “ zeal for the Public Service.”

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

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

FRIDAY, 30th JANUARY, 1801.

PRAYERS.

A bill to continue an Act made and passed in the thirty-sixth year of His Majesty's Reign, intituled “ an Act for regulating, laying out, and repairing
 “ Highways

“Highways and Roads, and for appointing Commissioners and Surveyors of
 “Highways within the several Towns or Parishes in this Province; and for
 “suspending for a limited time all the Laws now in force relating to the
 “same”—being brought in by the Committee appointed for that purpose—
 Was read the first and second time, and ordered to be committed.

Mr. *Street*, by leave, brought in a Bill to continue an Act, intituled, “an
 “Act for preserving the Bank of the River *Saint John*, in front of the Parishes
 “of *Magerville*, *Sheffield*, and *Waterborough*;” and a Bill to revive and conti-
 nue an Act, intituled, “an Act for preserving the Bank of the River *Saint*
 “*John* in front of the Parish of *Lincoln*, in the County of *Sunbury*.”

Which Bills were read the first time.

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

SATURDAY, 31st JANUARY, 1801.

PRAYERS.

On motion—the House resolved itself into a Committee of the whole upon
 the consideration of a Bill for the further and better support of the Poor in
 the City of Saint John.

Mr. *Robert Pagan* in the Chair.

The *Speaker* having resumed the Chair—

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

Which report was accepted—and ordered that the said Bill be engrossed.
 House in Committee.

Colonel *Ellegood* in the Chair.

Took into consideration a Bill to repeal an Act made and passed in the
 thirty-seventh year of His Majesty's reign, intituled, “an Act to alter and
 “amend an Act passed in the twenty-sixth year of His Majesty's reign, inti-
 tuled, ‘an Act for preventing Trespasses.’”

The *Speaker* resumed the Chair.

The Chairman reported—that the Committee had taken the said Bill into
 consideration, and had made a progress therein—

And requested leave for the Committee to sit again.

Ordered, That the said report be accepted.

The House then adjourned until Monday next at eleven of the Clock.

MONDAY, 2d FEBRUARY, 1801.

PRAYERS.

Read the third time as engrossed—a Bill for the further and better support
 of the Poor in the City of Saint John.

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

A Petition from the Settlers at *Mace's Bay* and *Dipper Harbor*—praying
 for some assistance to enable them to open a Road of communication with
 the City of Saint John—was presented to the House and read.

Ordered, That the said Petition lie on the table.

Several Petitions from the Inhabitants of the County of *Westmorland*—were
 presented to the House and read—setting forth, that the Court-House and
 Gaol of the said County have lately been destroyed by fire—and praying that
 the Parish of *Dorchester* may be the place for erecting the same, &c.

And on motion of Major *Dixson*, *Ordered* that he have leave to bring in a
 Bill agreeable to the prayer of the said Petitions.

A Petition from the Settlers on *Waspademoac* River—praying a Grant of Seventy-five pounds to enable them to open a Road for the benefit of that Settlement—was presented to the House, and read.

Ordered, That the said Petition lie on the table.

The House resolved itself into a Committee of the whole on the consideration of a Bill to continue an Act made and passed in the thirty-sixth year of His Majesty's reign, intituled, "an Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province; and for suspending for a limited time all the Laws now in force relating to the same"—

The *Attorney-General* in the Chair.

The *Speaker* resumed the Chair—

The Chairman reported—that the Committee had taken the said Bill into consideration, and had made a progress therein—

And requested leave for the Committee to sit again.

Ordered, That the said report be accepted.

The Committee appointed to examine the Treasurer's accounts, made the following report, viz.—

"The Committee appointed to examine the Accounts of the Treasurer of the Province, report—that they have carefully attended to that duty, and find the several accounts of Mr. *Oliver* to be very accurately stated and vouched.—

"No. 1—Contains a General Account Current of the Province of New-Brunswick, whereby it appears that there was in the Chest, on the 20th day of January last, Bonds and Cash to the amount of £ 2064 .. 16 .. 8½.

"No. 2—Contains a List of the Province Debts.

"No. 3—Contains the Light-House Account to the 20th of last January, in which there appears a balance in favor of the Province of £ 7 .. 13 .. 3½, and which has been carried to its Credit in the General Account Current.

"No. 4—Contains a List of Warrants to the 20th of January last, by which it appears that Warrants have been drawn on the Treasury to the amount of £ 4199 .. 14 .. 9, of which sum £ 123 .. 3 .. 4 has not yet been demanded.

"No. 5—Contains a List of unpaid Warrants.

"No. 6—Contains an Account of *John Chalonier*, which the Committee submit to the House, the said Account not having been included in the Treasurer's accounts.

"For further information the Committee refer the House to the papers reported."

"STAIR AGNEW,
"WILLIAM PAGAN,
"SAMUEL GAY."

On motion of Mr. *Robert Pagan*—

Resolved, That it is expedient to appoint a Committee for revising and reprinting the Laws of the Province, to be joined with such person or persons as the Council shall appoint for that purpose; and that provision be made for defraying the expence attending the same.

Resolved, That this Resolution be sent up to the Council for their concurrence.

A Petition from *Samuel Duffy*, Keeper of the Light-House on *Partridge* Island, was presented to the House and read—praying for an increase of his allowance for that duty—

And

And a Petition from *John Howard*, Esquire, and others, Inhabitants of the Parish of *Saint Martin's*—praying for some assistance to enable them to open a Road—was presented to the House and read.

Ordered, That the said Petitions lie on the table.

Mr. *Robert Pagan*, by leave, brought in a Bill for the better securing the Navigation of *Passamaquoddy Bay* within *Deer Island*.

Which Bill was read the first time.

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

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

TUESDAY, 3d FEBRUARY, 1801.

PRAYERS.

A Petition from *Samuel Ketchum* and others—praying a Grant of Twenty-five Pounds to enable them to open a Road across the Old Portage from the Head of *Bellisle Creek* to the River *Kennebeckacis*—was presented to the House and read.

Ordered, That the said Petition lie on the table.

The House again resolved itself into a Committee on the consideration of the Bill to continue an Act made and passed in the thirty-sixth year of His Majesty's reign, intituled, "an Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province; and for suspending for a limited time all the Laws now in force relating to the same."

The *Attorney-General* in the Chair.

The *Speaker* resumed the Chair—

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

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

On motion—*Resolved*, That this House will, to-morrow, resolve itself into a Committee of Supply.

Ordered, That His Excellency's Speech to both Houses be referred to the said Committee.

Captain *Agnew*, by leave, brought in a Bill to empower the Justices of the Peace for the County of *York*, to make such regulations respecting the Winter Roads or Highways in that County, as may be found necessary.

Which Bill was read the first time.

A Petition from *William and Thomas Pagan and Company* was presented to the House and read—praying that the duties which have been paid upon Forty-six Puncheons of Rum exported to Halifax, under the particular circumstances therein stated, may be refunded, &c.

Ordered, That the said Petition be referred to the Committee of Supply.

The House again resolved itself into a Committee on the consideration of the Bill to repeal an Act made and passed in the thirty-seventh year of His Majesty's reign, intituled, "an Act to alter and amend an Act passed in the twenty-sixth year of His Majesty's reign, intituled, 'an Act for preventing Trespasses.'

Colonel *Ellegood* in the Chair.

The *Speaker* resumed the Chair—and

The Chairman reported—that the Committee had taken the said Bill into consideration, and made a progress therein—and had directed him to report that the Committee were of opinion that a select Committee be appointed to revise the Trespass acts now in force, and report thereon.

Ordered,

Ordered, That the said report be accepted—and that Mr. *Robert Pagan*, Mr. *Siddall*, and Captain *Agnew*, be a Committee for that purpose.

Mr. *Robert Pagan* made a report of Monies paid to sundry persons belonging to the Militia of *Charlotte* county.

Ordered, That the same lie on the table.

Read the second time—a Bill for the better securing the Navigation of *Passamaquoddy* Bay, within *Deer* Island.

Ordered, That the said Bill be committed.

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

WEDNESDAY, 4th FEBRUARY, 1801.

PRAYERS.

Read the third time as engrossed—a Bill to continue an Act made and passed in the thirty-sixth year of His Majesty's reign, intituled, "an Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province; and for suspending for a limited time all the Laws now in force relating to the same."

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

Two several Messages from His Excellency the Lieutenant-Governor were delivered to the House—which were read—and are as follows, viz.—

"MESSAGE from the LIEUTENANT-GOVERNOR to the HOUSE
of ASSEMBLY. 3d February, 1801.

THO's. CARLETON.

"THE Lieutenant-Governor informs the House of Assembly, that he proposes to direct a revision of the existing Laws of the Province to be made, and a new Edition of them to be printed as soon as may be conveniently practicable; and recommends it to the House to make provision for defraying the expence of this necessary service. T. C."

"MESSAGE from the LIEUTENANT-GOVERNOR to the HOUSE
of ASSEMBLY. 4th February, 1801.

THO's CARLETON.

"THE Lieutenant-Governor informs the House of Assembly that, from the several sums granted to him, by the acts of Appropriation of the last Session, for defraying Expences of the Province, together with the amount formerly appropriated to the purchase of Materials for erecting a Building for the accommodation of the General Assembly and Courts of Justice, he has been able to apply to that important service nearly Five Hundred Pounds, which, with other sums amounting to about Five Hundred more, have been expended in erecting a suitable Building for that purpose in *Fredericton*, and that the further expence, for finishing what has been thus begun, will probably not exceed Seven or Eight Hundred Pounds, for which the Lieutenant-Governor recommends the requisite provision to the consideration of the House.

"In most of the different Counties of this Province, there is a want of sufficient Gaols and Court-Houses, the erection or completion of which would require expences beyond the present ability of the Inhabitants, without great inconvenience, to defray; the Lieutenant-Governor therefore recommends it to the House to take into consideration the making of some suitable provision also for this service.

"An

Dr.

The Province of NEW-BRUNSWICK, in GENERAL ACCOUNT CURRENT.

Cr.

Date.		£.	s.	d.	Date.		£.	s.	d.
1799.					1799.				
Jan. 17	To the Estate of <i>A. Depeyster</i> , deceased, balance of Light-House Account, due 16th January, 1798	26	19	4½	Jan. 21.	By old Account for balance due the Province the 15th instant	36	2	11½
21	To Cash paid the Commissioners of the Light-House for part of the Expences of the year 1797	7	1	7	1801.				
April 15	To Cash paid <i>John Bulzea</i> for killing a full grown Wolf	1	0	0	Jan. 20.	By Duties at Saint John	5386	18	2
May 14	To Cash paid <i>John Ryan</i> for printing Bonds, &c.	2	18	0		By Duties at Charlotte, net amount	242	2	2
15	To Cash a Fee to the Attorney for Advice	2	6	8		By Duties at Northumberland, net amount	74	13	1½
July 18	To Cash paid <i>Everit De Witt</i> for killing a Wolf	1	0	0		By Duties at Westmorland, net amount	42	6	3
1800.						By the Estate of <i>A. Depeyster</i> , Esq. deceased	699	8	9½
Feb. 12	To Cash paid <i>John Smith</i> for killing a Wolf	1	0	0		By Auctioneers' Accounts	90	9	4
March 7	To the Estate of <i>A. Depeyster</i> , deceased, paid <i>J. Chaloners</i> Gauging Account	36	3	0		By Light-House Account, the balance	7	13	3½
Aug. 13	To Cash paid <i>Micah Yeamans</i> for killing a Wolf	1	0	0					
13	To Cash paid <i>Benjamin Gallop</i> for killing a Wolf	1	0	0					
14	To Cash paid <i>John Ryan</i> for printing the Law and Blanks	3	10	0					
Octr. 20	To Cash paid <i>John Ryan</i> for printed Blanks	1	0	0					
Nov. 4	To Cash paid <i>John Ryan</i> for printed Blanks	1	5	0					
Dec. 1	To Cash paid for Stationary, &c. as per Account	5	13	8½					
1801.									
Jan. 20	To Cash paid on Warrants	4076	10	5					
	To Cash paid for Drawbacks	283	1	2					
	To amount due from Deputy Treasurers	45	4	6					
	To Cash paid <i>J. Chaloners</i> , Esqr. Gauging Account	14	9	6					
	To Cash paid <i>J. Chaloners</i> extra expences	3	14	6					
	To Bonds and Cash in the Chest	2064	16	8½					
		£	6579	14	1½				
	Due on Warrants which has not been demanded	£	123	3	4				
	Four Years pay due the late Treasurer's Estate		279	10	0				
	Due the present Treasurer to 1st March, 1799		62	10	0				

TREASURER'S-OFFICE, Saint John, 20th January, 1801.

Errors Excepted,

Wm. S. Oliver, Province Treasurer.

£ 6579 14 1½

“ An account will herewith be laid before the House of Assembly, of the
 “ sums granted as above mentioned, and of their application.

“ The Lieutenant-Governor recommends to the consideration of the House
 “ a Petition, which will be herewith laid before them, of the Tide Surveyor
 “ of the City of *Saint John*. T. C.”

Ordered, That the said Messages be referred to the Committee of Supply,
 together with the Papers accompanying the same.

The order of the day being read—

The House resolved itself into a Committee of the whole on the considera-
 tion of the Supplies to be granted for the Public Service—

Captain *M^cLean* in the Chair.

The *Speaker* resumed the Chair—and—

The Chairman reported—that the Committee had gone into the considera-
 tion of the business to them referred—and had made some progress therein—
 And requested leave for the Committee to sit again.

Ordered, That the said report be accepted.

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

THURSDAY, 5th FEBRUARY, 1801.

PRAYERS.

Read the second time—a Bill to revive and continue an Act, intituled,
 “ an Act for preserving the Bank of the River *Saint John*, in front of the
 “ Parish of *Lincoln* in the County of *Sunbury*”—and a Bill to continue an Act,
 intituled, “ an Act for preserving the Bank of the River *Saint John*, in front
 “ of the Parishes of *Maugerville*, *Sheffield*, and *Waterborough*.”

Ordered, That the said Bills be committed.

The House again resolved itself into a Committee on the further considera-
 tion of the Supplies to be granted for the Public Service—

Captain *M^cLean* in the Chair.

The *Speaker* resumed the Chair to receive a Message from His Excellency the
 Lieutenant-Governor—which he read to the House—and is as follows, viz.—

“ MESSAGE from the LIEUTENANT-GOVERNOR to the HOUSE
 “ of ASSEMBLY. 5th February, 1801.

THO's CARLETON.

“ THE Lieutenant-Governor informs the House of Assembly, that an ex-
 “ pence has been incurred, amounting to Thirty-two pounds, Five shillings,
 “ for printing Three Hundred Copies of the Acts passed in the last Session of
 “ General Assembly; also that, by the close of the present Session, House-rent
 “ will be due (for the accommodation of the General Assembly and the Courts
 “ of Justice) for the term of two years and one quarter, amounting to the
 “ sum of Sixty-seven pounds Ten shillings; for which sums, amounting to
 “ Ninety-nine pounds Fifteen shillings, the Lieutenant-Governor recom-
 “ mends it to the House to make provision, together with such further sums
 “ as may be requisite for paying the Adjutants of Militia, and for defraying
 “ the several expences of the present Session.

“ An extract of a letter from His Royal Highness the DUKE of KENT,
 “ with a copy of the answer thereto, will herewith be laid before the House
 “ of Assembly, on the subject of a communication by land from *Halifax* to
 “ *Quebec*. The attainment of this object, as stated by His Royal Highness,
 “ is so desirable that, although the plan may not be ripe for immediate exe-
 “ cution,

“ cution, the Lieutenant-Governor cannot entertain a doubt of the zeal and
 “ readiness of the Assembly of *New-Brunswick*, to co-operate with the adja-
 “ cent Provinces, in making some eventual provision, proportional to their
 “ ability, for a Service of such magnitude and importance. T. C.”

Ordered, That the said Message be taken into consideration in the Committee of Supply.

The House resolved itself again into a Committee on the further consideration of the Supplies to be granted for the Public Service—

Captain *M'Lean* in the Chair.

The *Speaker* having resumed the Chair—

The Chairman reported—that the Committee had made a further progress in the business to them referred—

And requested leave for the Committee to sit again.

Ordered, That the said report be accepted.

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

FRIDAY, 6th FEBRUARY, 1801.

PRAYERS.

On motion—the House again resolved itself into a Committee on the further consideration of the Supplies to be granted for the Public Service—

Captain *M'Lean* in the Chair.

The *Speaker* resumed the Chair.

The Chairman reported—that the Committee had again gone into the consideration of the business to them referred—and had made some further progress therein—

And requested leave for the Committee to sit again.

Ordered, That the said report be accepted.

Captain *Agnew*, by leave, brought in a Bill relating to Negroes.

Which Bill was read the first time.

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

SATURDAY, 7th FEBRUARY, 1801.

PRAYERS.

On motion—the House again resolved itself into a Committee on the further consideration of the Supplies to be granted for the Public Service—

Captain *M'Lean* in the Chair.

The *Speaker* resumed the Chair—and

The Chairman reported—that the Committee had made a further progress in the business to them referred—

And requested leave for the Committee to sit again.

Ordered, That the said report be accepted.

The House then adjourned until Monday next at eleven of the Clock.

MONDAY, 9th FEBRUARY, 1801.

PRAYERS.

A Petition from the Commissioners of Sewers for the Parish of *Sackville*, was presented to the House and read—setting forth, that the present mode of Appeal to the Supreme Court for redress of grievance, is attended with great inconvenience and delay—and praying that the Act for appointing Commissioners of Sewers, may be amended.

Ordered, That the said Petition lie on the table.

The House again resolved itself into a Committee on the further consideration of the Supplies to be granted for the Public Service—

Captain *M'Lean* in the Chair.

The *Speaker* resumed the Chair—and

The Chairman reported—that the Committee had again gone into the consideration of the business to them referred—and had come to the following Resolutions, to wit:—

“ *Resolved*, That it is the opinion of this Committee that there be granted to His Majesty for defraying the expences of the Public Service of this Province the following Sums, viz.—

“ To the *Speaker* of the House of Assembly for his services during the present Session, and for his travelling charges the sum of *Fifty Pounds*—

“ To the other Members of the House of Assembly for defraying their expences of attendance during the present Session, and travelling charges, reckoning Twenty miles to each day's travel, to be certified by the *Speaker*, the sum of *Ten Shillings* per diem—

“ To the Chaplain of the Council in General Assembly for his services during the present Session, the sum of *Fifteen Pounds*—

“ To the Chaplain of the Assembly for his services during the present Session, the sum of *Fifteen Pounds*—

“ To the Clerk of the Council in General Assembly, for Stationary and other expences of the present Session, the sum of *Thirty Pounds*—

“ To the Clerk of the Assembly for his services during the present Session, the sum of *Ten Shillings* per diem, and for other services, the sum of *Fifty Pounds*—and also for his services during the year One Thousand Eight Hundred, the sum of *Twenty-five Pounds*—

“ To the Serjeant at Arms attending the Council in General Assembly, the sum of *Ten Shillings* per diem during the present Session—

“ To the Serjeant at Arms attending the Assembly, the sum of *Ten Shillings* per diem during the present Session—

“ To the Door-keeper of the Council in General Assembly, the sum of *Five Shillings* per diem during the present Session—

“ To the Door-keeper of the Assembly, the sum of *Five Shillings* per diem during the present Session—

“ To the Messenger the sum of *Five Shillings* per diem during the present Session—

“ To the Clerk of the Assembly for Fuel, Stationary, and other expences of the present Session, the sum of *Twenty-eight Pounds, Six Shillings* and *Six Pence*—

“ To the Treasurer of the Province for his services from the first day of March, One Thousand Seven Hundred and Ninety-nine, to the first day of March, One Thousand Eight Hundred and One, the sum of *One Hundred* and *Eighty Pounds* per annum—

“ To the Tide Surveyor in the City of *Saint John*, for his services from the first day of March, One Thousand Seven Hundred and Ninety-nine, to the first day of March, One Thousand Eight Hundred and One, the sum of *Forty Pounds* per annum—and also for his past services the further sum of *Fifteen Pounds*—

“ To His Excellency the Lieutenant-Governor for the payment of the several Adjutants of the Militia for the years One Thousand Seven Hundred and Ninety-nine, and One Thousand Eight Hundred, a sum not exceeding *Three Hundred* and *Twenty Pounds*—

“ To His Excellency the Lieutenant-Governor for defraying contingent expences of the Province, a sum not exceeding *One Hundred Pounds*.—

“ *Resolved*, That it is the opinion of this Committee, that the sum of *One Hundred Pounds* be granted to the County of *Westmorland*, towards defraying the expence of erecting a Court-House and Gaol in the said County—

“ The sum of *One Hundred Pounds* to the County of *York*, towards defraying the expences of building a Gaol in the said County—

“ The sum of *One Hundred Pounds* to *Queen's* County, towards defraying the expences of finishing the Court-House and Gaol in the said County—

“ The sum of *One Hundred Pounds* to the County of *Charlotte*, towards defraying the expences of finishing the Court-House and Gaol in the said County—

“ The sum of *One Hundred Pounds* to the County of *Sunbury*, towards defraying the expences of finishing the Court-House and Gaol in the said County—

“ And the sum of *One Hundred Pounds* to *King's* County, towards defraying the expences of building a Gaol in the said County.—

“ *Resolved*, That it is the opinion of this Committee, that the sum of *Two Hundred and Fifty Pounds* be granted to the Mayor, Aldermen, and Commonalty of the City of *Saint John*, to assist in erecting an Hospital and Work-House in the said City.

“ *Resolved*, That it is the opinion of this Committee, that the sum of *One Hundred and Fifty Pounds* be granted for the purpose of repairing the Road leading from the River *Petcoodiac* to the *Kennebeckacis*: The sum of *Fifty Pounds* for the purpose of repairing the Road leading from *Fredericton* to *Miramichi*, through the Settlements on the River *Nashwaack*: The sum of *Fifty Pounds* for the purpose of opening and repairing the Road from the River *Nashwaack* to the Settlements on the River *Miramichi*: The sum of *Fifty Pounds* for the purpose of repairing the Road from where the same now is near the Farm of *Ward Chipman*, Esquire, to *Gondola Point*: The sum of *Fifty Pounds* for the purpose of repairing the Road lately laid out and opened from *Cbediac* to the bend of the River *Petcoodiac*: The sum of *Seventy-five Pounds* for the purpose of opening a Road from *Quaco* to communicate with the Settlement made by the Honorable *Joshua Upham*, Esq. in the Parish of *Hampton*: The sum of *Ten Pounds* to enable the Inhabitants of *Mace's Bay* and *Dipper Harbor* to open a Road to communicate by the nearest practicable route with the public Road leading from *Saint Andrews* to the City of *Saint John*, by the Settlements at *Musquash* River: The sum of *One Hundred Pounds* for the purpose of repairing the Road already laid out from *Saint Andrews* to the City of *Saint John*, by the Settlements at *Musquash*: The sum of *Twenty-five Pounds* for the purpose of opening a Road from the Settlement on *Washademoac* River to communicate with the Settlements on the River *Saint John*: The sum of *One Hundred Pounds* for the purpose of building and repairing such Bridges as were carried away by the Ice freshet in the year *One Thousand Seven Hundred and Ninety-Eight*, in the Parishes of *Prince William* and *Woodstock*, in the County of *York*: The sum of *Thirty Pounds* for the purpose of defraying the expences of levelling and bridging the portage Road which is opened across the Peninsula that separates the Rivers *Kennebeckacis* and *Saint John*: The sum of *Seventy-five Pounds* for the purpose of altering and repairing the Roads leading from *Fredericton* to *Saint John* and *Westmorland*, through *Queen's* County and a part of *King's* County by the head of *Bellisfe Bay* to the River *Kennebeckacis*, and in the great line of communication between the Provinces

“ of

“ of *Nova-Scotia* and *Canada* : And the sum of *Fifteen Pounds* for the purpose
 “ of repairing the Road leading from *Pickle’s Farm* on the River *Kennebecka-*
 “ *cis*, to *Croft’s Farm* on *Hammond River* ; to be paid to such persons as His
 “ Excellency the Lieutenant-Governor shall appoint for the purposes afore-
 “ said, who are severally to account to the House of Assembly for their re-
 “ spective expenditures.

“ *Resolved*, That it is the opinion of this Committee, that the sum of *Ten*
 “ *Pounds*, *Five Shillings*, be granted to the Sheriff of the County of *Charlotte*,
 “ for returning a Member for the said County to serve in General Assembly.

“ *Resolved*, That it is the opinion of this Committee, that the sum of
 “ *Thirty-two Pounds*, *Five Shillings*, be granted to His Excellency the Lieu-
 “ tenant-Governor, for defraying the expence of printing Three Hundred
 “ Copies of the Acts passed in the last Session of the General Assembly ; and
 “ the further sum of *Sixty-seven Pounds*, *Ten Shillings*, for the payment of
 “ House-rent for the accommodation of the General Assembly and the Courts
 “ of Justice.

“ *Resolved*, That it is the opinion of this Committee, that the sum of *Two*
 “ *Hundred Pounds*, be granted to His Excellency the Lieutenant-Governor,
 “ for defraying the expences to be incurred by the revising of all the Acts of
 “ the General Assembly of this Province and printing Two Hundred Copies
 “ of the same for the use of the several Branches and Members of the Legisla-
 “ ture, His Majesty’s Courts of Justice, Attorney and Solicitor General ;
 “ Justices of the Peace, Sheriffs and Coroners in the several Counties, and
 “ Clerks of the different Parishes.

“ *Resolved*, That it is the opinion of this Committee, that the sum of
 “ *Twelve Pounds*, be granted to *Samuel Lee*, Esquire, Member for *Northumber-*
 “ *land County*, for his travelling charges at the last Session of the General
 “ Assembly.

“ *Resolved*, That it is the opinion of this Committee, that the following
 “ sums be granted to the several persons hereafter mentioned—that is to say—
 “ To *John M’Monagle*, Esquire, the sum of *Twelve Pounds*, *Fourteen Shillings*
 “ and *Six Pence* : To *Benjamin Dewolf*, the sum of *Eighteen Pounds*, *Fourteen*
 “ *Shillings* and *Ten Pence* : To *Thomas Walker*, the sum of *Twelve Pounds*, *Ten*
 “ *Shillings* and *Two Pence* : To *Henry Rutherford*, the sum of *Eighteen Pounds*,
 “ *Eighteen Shillings* : To Messrs. *Bonnell* and *Budd*, the sum of *One Pound*,
 “ *Seven Shillings* and *Nine Pence* : And to Messrs. *Isaac* and *David Bonnett*,
 “ the sum of *Two Pounds*, *Seventeen Shillings*—being the amount of duties paid
 “ by them on articles imported by the way of *Saint John*, which were inten-
 “ ded for and consumed in the Province of *Nova-Scotia*.

“ *Resolved*, That it is the opinion of this Committee, that the sum of *Forty-*
 “ *Three Pounds*, *Five Shillings* and *Ten Pence*, be granted to *William* and *Thomas*
 “ *Pagan* and *Company*, being the whole amount of the duties paid by them on
 “ *Forty-six Puncheons* of Rum, landed from on board the Brig *Three Brothers*,
 “ (which put into the Port of *Saint John*, on her voyage from *Jamaica* for
 “ *Quebec*, in distress) and afterwards re-shipped for *Halifax*.

“ *Resolved*, That it is the opinion of this Committee, that the sum of *Fifty*
 “ *Pounds*, be granted to *Samuel Duffy*, Keeper of the Light-House on *Partridge*
 “ *Island*, in addition to his Salary, for his services to the first day of January,
 “ *One Thousand Eight Hundred and One*.

“ *Resolved*, That it is the opinion of this Committee, that a sum not ex-
 “ ceeding *Fifty Pounds*, be granted to the Commissioners of the Light-House
 “ on *Partridge Island*, for the purpose of making such repairs to the same as
 “ may be found necessary.

“ *Resolved*, That it is the opinion of this Committee, that a sum not exceeding *One Hundred Pounds*, be granted to the Members for the City and County of *Saint John*, in General Assembly, for defraying the expences to be incurred by the printing of the Journal of the Votes and Proceedings of the House of Assembly in the Sessions of One Thousand Seven Hundred and Ninety-eight and One Thousand Seven Hundred and Ninety-nine, and also in the present Session.

“ *Resolved*, That it is the opinion of this Committee, that an Humble Address be presented to His Excellency the Lieutenant-Governor, to thank him for the important communication from His Royal Highness the DUKE of KENT, on the subject of a communication by land from *Halifax* to *Quebec*, and to inform him that conformably to His Excellency's recommendation, the House of Assembly have voted considerable sums of Money for the purpose of facilitating the communication from this Province to *Halifax*, as also to *Quebec*: And further to assure His Excellency that they will from time to time most cheerfully contribute their aid, as the ability and circumstances of the Province shall admit, to co-operate towards carrying that great and important object into effect.

“ That a motion was made and seconded, that it be *Resolved*, That it is the opinion of this Committee, that the sum of _____ be granted towards completing the Building for the accommodation of the General Assembly and the Courts of Justice in *Fredericton*—

“ Upon which the Committee divided—

“ YEAS.

“ Colonel Coffin,
“ Mr. Speaker,
“ Captain Agnew,
“ Mr. Street,

“ Mr. Gay,
“ Major Dixon,
“ Colonel Ellegood,
“ Mr. Peters,

“ Mr. Yeamans,
“ Mr. Siddall,
“ Mr. Lindsay.

“ NAYS.

“ Mr. Robert Pagan,
“ Mr. William Pagan,
“ Mr. Younghusband,

“ Mr. Gilbert,
“ The Attorney-General,
“ Mr. Smith,

“ Mr. Simonds—

“ And that upon a motion made and seconded that the said Blank be filled up with the words ‘*Three Hundred and Fifty Pounds*’—

“ The Committee again divided—

“ YEAS.

“ Colonel Coffin,
“ Captain Agnew,
“ Mr. Street,

“ Mr. Gay,
“ Major Dixon,
“ Colonel Ellegood,

“ Mr. Peters,
“ Mr. Yeamans,
“ Mr. Siddall.

“ NAYS.

“ Mr. Speaker,
“ Mr. Robert Pagan,
“ Mr. William Pagan,

“ Mr. Younghusband,
“ Mr. Gilbert,
“ The Attorney-General,

“ Mr. Smith,
“ Mr. Simonds,
“ Mr. Lindsay.—

“ Upon which he (the Chairman) had decided the question in the Affirmative—

“ And that he was directed to report it as the opinion of the Committee that the foregoing Resolutions for granting the several sums of Money be sent up to the Council for their concurrence.”

Ordered, That the consideration of the said report be postponed until tomorrow.

House in Committee—

Mr. *Robert Pagan* in the Chair.

The *Speaker* resumed the Chair—and

The Chairman reported—that the Committee had taken into consideration a Bill to continue an Act, intituled, “an Act for preserving the Bank of the River *Saint John*, in front of the Parishes of *Maugerville*, *Sheffield*, and “*Waterborough*”—and had agreed to the same.

Which report was accepted—and

Ordered, That the said Bill be engrossed.

House in Committee—

Mr. *Street* in the Chair—

Took into consideration a Bill to revive and continue an Act, intituled, “an Act for preserving the Bank of the River *Saint John*, in front of the “Parish of *Lincoln*, in the County of *Sunbury*.”

The *Speaker* resumed the Chair—

The Chairman reported—that the Committee had taken the said Bill into consideration—and had agreed to the same.

Ordered, That the said report be accepted—and that the Bill be engrossed.

A Bill for erecting a Court-House and Gaol in the County of *Westmorland*, and for altering the Shire-town of the said County—being brought in by leave—was read the first time.

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

TUESDAY, 10th FEBRUARY, 1801.

PRAYERS.

The report of the Chairman of the Committee of Supply being read—

Mr. *Robert Pagan* moved—that it be “*Resolved*, That the sum of *One Hundred Pounds*, granted to His Excellency the Lieutenant-Governor, in “and by an Act made and passed in the thirty-ninth year of His Majesty’s “reign, intituled, ‘an Act to provide for payment of fundry Debts of the “Province, for the year One Thousand Seven Hundred and Ninety-five,’ be- “ing, together with all the other sums mentioned in said Act, expressly gran- “ted for the purpose of defraying the Debts of this Province for the year One “Thousand Seven Hundred and Ninety-five; and likewise the further Sums, “amounting in all to *Four Hundred Pounds*, also granted to His Excellency “the Lieutenant-Governor, in and by an Act made and passed in the thirty- “ninth year of His Majesty’s reign, intituled, ‘an Act for defraying the “ordinary Services of the Province for the years One Thousand Seven Hun- “dred and Ninety-six, One Thousand Seven Hundred and Ninety-seven, One “Thousand Seven Hundred and Ninety-eight, and One Thousand Seven “Hundred and Ninety-nine,’ being, together with all the other sums men- “tioned in said Act, likewise expressly granted towards defraying the expen- “ces of the Public Services of this Province for the years One Thousand “Seven Hundred and Ninety-six, One Thousand Seven Hundred and Ninety- “seven, One Thousand Seven Hundred and Ninety-eight, and One Thousand “Seven Hundred and Ninety-nine: Therefore the application of the same or “any part thereof by Warrant of the Executive towards erecting a Building “at *Fredericton*, without an Act of the Legislature directing such application, “is unconstitutional, and infringes the unalienable right of the House of “Assembly, to originate all Appropriations of Public Money”—

Upon which the House divided—

YEAS.

Mr. *Robert Pagan*,
Mr. *William Pagan*,

Mr. *Glenie*,
Mr. *Smith*—and

Mr. *Younghusband*.

NAYS.

N A Y S.

Captain *Agnew*,
Colonel *Coffin*,
Mr. *Peters*,
Mr. *Yeamans*,
Mr. *Gilbert*,

Mr. *Lindsay*,
Captain *M'Lean*,
Mr. *Simonds*,
Major *Dixson*,
Mr. *Gay*,

Mr. *Lee*,
Colonel *Ellegood*,
Mr. *Street*,
Mr. *Siddall*.

On motion of Captain *Agnew*—

Resolved unanimously, That the General Assembly and Courts of Justice are held at *Fredericton*, and while they are there held it is proper to provide a Place suitable for their accommodation.

Captain *Agnew* then moved—that it be “*Resolved*, That the several Sums granted at the last Session of the General Assembly to His Excellency the Lieutenant-Governor, for defraying the expences of the Province, amounting to *Four Hundred Pounds*, as also the sum of *One Hundred Pounds*, for defraying the contingent expences of the Province, have been applied to the “*Public Service of the Province*” —

Upon which the House again divided—

Y E A S.

Captain *Agnew*,
Colonel *Coffin*,
Mr. *Peters*,
Mr. *Yeamans*,
Mr. *Gilbert*,

Mr. *Lindsay*,
Captain *M'Lean*,
Mr. *Simonds*,
Major *Dixson*,
Mr. *Gay*,

Mr. *Lee*,
Colonel *Ellegood*,
Mr. *Street*,
Mr. *Siddall*.

N A Y S.

Mr. *Robert Pagan*,
Mr. *William Pagan*,

Mr. *Glenie*,
Mr. *Smith*—and

Mr. *Younghusband*.

Thereupon ordered that the said report be accepted—and that the several Resolutions for granting sums of Money, be sent up to the Council for their concurrence.

A Message from the Council, with a Bill for the rendering Justices of the Peace more safe in the execution of their office, and for indemnifying Constables and others acting in obedience to their Warrants.

Which Bill was read the first time.

A Bill for the support and relief of confined Debtors—being brought in by leave—was read the first and second time—and ordered to be committed.

Captain *M'Lean* by leave brought in a Bill to continue and amend an Act made and passed in the thirty-fifth year of His Majesty's reign, intituled, “*an Act for the more easy and speedy recovery of small Debts.*”

Which Bill was read the first time.

House in Committee—

Captain *Agnew* in the Chair.

Took into consideration a Bill for the better securing the Navigation of *Passamaquoddy Bay* within *Deer Island*.

The *Speaker* resumed the Chair.

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

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

House in Committee—

Mr. *Peters* in the Chair—

Took into consideration a Bill for the support and relief of confined Debtors.

The *Speaker* resumed the Chair—

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

Ordered, That the said report be accepted—and that the Bill be engrossed.

Read the second time the Bill from the Council, for the rendering Justices of the Peace more safe in the execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrants.

Ordered, That the said Bill be committed.

A Bill to continue an Act, intituled, “an Act for preserving the Bank of the River *Saint John*, in front of the Parishes of *Maugerville*, *Sheffield*, and “*Waterborough*”—and a Bill to revive and continue an Act, intituled, “an Act for preserving the Bank of the River *Saint John*, in front of the Parish “of *Lincoln*, in the County of *Sunbury*”—were read the third time as engrossed.

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

On motion—*Resolved*, that this House will, to-morrow, resolve itself into a Committee of Ways and Means.

Read the second time—a Bill for erecting a Court-House and Gaol in the County of *Westmorland*, and for altering the Shire-town of the said County.

Ordered, That the said Bill be committed.

A Petition from the Inhabitants of *Sackville*, and a Petition from several Inhabitants of the County of *Westmorland*—were presented to the House and read—praying that the Court-House may be erected in the Town-plot of *Sackville*.

Ordered, That the said Petitions, together with the several other Petitions from the County of *Westmorland*, be taken into consideration, with the Bill for erecting a Court-House and Gaol in the County of *Westmorland*, and for altering the Shire-town of the said County.

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

WEDNESDAY, 11th FEBRUARY, 1801.

PRAYERS.

The Committee to whom was referred the Bill to repeal an Act made and passed in the thirty-seventh year of His Majesty's reign, intituled, “an Act “to alter and amend an Act passed in the twenty-sixth year of His Majesty's “reign, intituled, ‘an Act for preventing Trespasses’—reported that they were of opinion that a Bill be brought in to repeal all the Acts now in force relating to Trespasses, and for making new regulations to prevent the same.

Ordered, That the said report be accepted—and that the same Members be a Committee to prepare the said Bill.

Ordered, That Mr. *Robert Pagan* and Colonel *Coffin*, do carry up to the Council, the Resolutions for granting the several sums of Money voted in the Committee of Supply, for their concurrence.

The order of the day being read—

The House resolved itself into a Committee of Ways and Means—

Mr. *Lee* in the Chair.

The *Speaker* resumed the Chair—

The Chairman reported—that the Committee had taken into consideration the business to them referred—and had agreed to the following Resolution—viz:—

“*Resolved*, That it is the opinion of this Committee that there be granted “to His Majesty for the support of the Government of this Province, the “following duties of Impost—viz.—On every Gallon of Rum, *Six Pence* : “On every Gallon of Brandy, Geneva, and all other distilled Spirituous Li- “quors, *Eight Pence* : And on every Gallon of Wine, *Nine Pence*.”

Ordered, That the said report be accepted.

A Message from the Council, informing the House that the Council have concurred in passing the Bill “to continue an Act made and passed in the thirty-sixth year of His Majesty’s reign, intituled, ‘an Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province, and for suspending for a limited time all the Laws now in force relating to the same’—

And also informing the House that the Council have concurred in passing the Bill “for the further and better support of the Poor in the City of *Saint John*,” with an amendment.

The said amendment being read—*Resolved*, That this House do concur therein.

And thereupon ordered that the said Bill be returned to the Council.

A Bill to repeal all the Acts now in force relating to Trespasses, and for making new regulations to prevent the same, being brought in by the Committee appointed for that purpose, was read the first and second time—and ordered to be committed.

Ordered, That Mr. *Gay*, Captain *M’Lean*, and Mr. *Lindsay*, be a Committee to bring in a Bill for raising a Revenue in this Province.

Mr. *Robert Pagan* moved for an Address to His Excellency the Lieutenant-Governor, which he read in his place, and then delivered in at the Clerk’s table, where the same was again read and agreed to by the House, and is as follows, viz.—

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

“ THE HUMBLE ADDRESS of the HOUSE of ASSEMBLY.

“ *May it please Your EXCELLENCY !*

“ THE House of Assembly are much concerned to find that the Restriction on Grants of Land in this Province still continues, notwithstanding the settlement of the line of the Western boundary. This restriction, which has been in force for more than ten years, is found most sensibly to impede the population and cultivation of the Province, and, if continued, must retard its settlement and induce many to seek Lands either in the American States or the neighbouring Province of *Nova-Scotia*, where, they understand, that restriction has been taken off for more than Twelve months, and applications for Lands by Inhabitants of this Province, have been complied with in that. Since the establishment of this Province many are grown up who want Lands, and many have never had any Grant.

“ That as there are large Tracts of vacant Crown Lands in the Province that would soon be cultivated were the same granted; the House have that confidence in His Majesty’s paternal regard for his faithful Subjects in this Province, they doubt not but upon proper application, His Majesty will be graciously pleased to discontinue such restriction.

“ The House therefore request your Excellency to make application to His Majesty’s Ministers for the attainment of an object of so much importance to the prosperity of the Colony; and that Grants may be made agreeably to the Royal Instructions before such restriction.”

Read the second time—a Bill to empower the Justices of the Peace for the County

County of *York*, to make such regulations respecting the Winter Roads or Highways in that County, as may be found necessary.

Ordered, That the said Bill be committed.

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

THURSDAY, 12th FEBRUARY, 1801.

PRAYERS.

Read the third time as engrossed—a Bill for the support and relief of confined Debtors—and a Bill for the better securing the Navigation of *Passamaquoddy* Bay within *Deer* Island.

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

A Bill relating to Negroes—was read the second time—and ordered to be committed.

House in Committee—

Mr. *Peters* in the Chair—

Took into consideration a Bill to repeal all the Acts now in force relating to Trespasses, and for making new regulations to prevent the same.

The *Speaker* resumed the Chair—

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

Ordered, That the said report be accepted—and that the Bill be engrossed.

A Message from the Council, informing the House that the Council do concur in the Resolutions which were yesterday sent up for their consideration.

House in Committee—

Mr. *Robert Pagan* in the Chair.

Took into consideration a Bill to empower the Justices of the Peace for the County of *York*, to make such regulations respecting the Winter Roads or Highways in that County, as may be found necessary.

The *Speaker* resumed the Chair.

The Chairman reported—that the Committee had taken the said Bill into consideration—and had agreed to the same.

Ordered, That the said report be accepted—and that the Bill be engrossed.

Ordered, That Captain *M'Lean*, Mr. *Lee*, and Mr. *Robert Pagan*, be a Committee to bring in a Bill for appropriating certain Monies for defraying the expences of the Province—

And that Captain *Agnew*, Colonel *Ellegood*, and Mr. *Younghusband*, be a Committee to bring in a Bill for granting certain Sums for repairing and laying out Roads.

A Bill for raising a Revenue in this Province—being brought in by the Committee appointed for that purpose—was read the first time.

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

FRIDAY, 13th FEBRUARY, 1801.

PRAYERS.

A Bill to empower the Justices of the Peace for the County of *York*, to make such regulations respecting the Winter Roads or Highways in that County, as may be found necessary—was read the third time as engrossed.

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

Read the second time—a Bill for raising a Revenue in this Province.

Ordered, That the said Bill be committed.

House in Committee—

Mr. *Lee* in the Chair—

Took into consideration the Bill from the Council for the rendering Justices

ces of the Peace more safe in the execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrants.

The *Speaker* resumed the Chair—

The Chairman reported—that the Committee had taken the said Bill into consideration, and had concurred therein.

Ordered, That the said report be accepted—and that the Bill be returned to the Council.

House in Committee—

Mr. *Robert Pagan* in the Chair.

Took into consideration a Bill for erecting a Court-House and Gaol in the County of *Westmorland*, and for altering the Shire-town of the said County.

The *Speaker* resumed the Chair—

The Chairman reported—that the Committee had taken the said Bill into consideration, and had agreed to the same

Which report was accepted—and

Ordered, That the said Bill be engrossed.

House in Committee—

Captain *M^cLean* in the Chair.

Took into consideration a Bill relating to Negroes.

The *Speaker* resumed the Chair—

The Chairman reported—that the Committee had taken the said Bill into consideration, and had made a progress therein—

And requested leave for the Committee to sit again.

Ordered, That the said report be accepted.

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

SATURDAY, 14th FEBRUARY, 1801.

PRAYERS.

Read the third time as engrossed—a Bill to repeal all the Acts now in force relating to Trespasses, and for making new regulations to prevent the same.

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

A Bill for granting certain Sums for repairing and laying out Roads—being brought in by the Committee appointed for that purpose—was read the first time.

House in Committee—

Captain *M^cLean* in the Chair—

Took into consideration a Bill for raising a Revenue in this Province.

The *Speaker* resumed the Chair—

The Chairman reported—that the Committee had taken the said Bill into consideration—and had agreed to the same with some amendments.

Ordered, That the report be accepted—and that the said Bill be engrossed.

A Message from the Council, informing the House that the Council have concurred in passing the Bill “for the support and relief of confined Debtors,” and also the Bill “for the better securing the Navigation of *Passamaquoddy* Bay within *Deer Island*.”

A Bill to explain and amend an Act, intituled, “an Act for appointing “Commissioners of Sewers,” and a Bill to empower the Lieutenant-Governor or Commander in Chief for the time being, to prohibit the exportation of Gun-Powder, Arms, Ammunition, or Salt-Petre, or carrying the same coast-wise—being brought in by leave—were read the first time.

A Bill for appropriating certain Monies for defraying the expences of the Province—being brought in by the Committee appointed for that purpose—was read the first time.

The

The House again resolved itself into a Committee on the further consideration of the Bill relating to Negroes—

Captain *M'Lean* in the Chair.

The *Speaker* resumed the Chair—and

The Chairman reported—that the Committee had again taken the said Bill into consideration—and had made a further progress therein.

Ordered, That the said report be accepted.

And on motion of the Member who brought in the said Bill—*Ordered*, that he have leave to withdraw the same.

The House then adjourned until Monday next at eleven of the Clock.

MONDAY, 16th FEBRUARY, 1801.

PRAYERS.

A Bill for erecting a Court-House and Gaol in the County of *Westmorland*, and for altering the Shire-town of the said County—was read the third time as engrossed.

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

Read the second time—a Bill for appropriating certain Monies for defraying the expences of the Province—and a Bill for granting certain Sums for repairing and laying out Roads.

Ordered, That the said Bills be committed.

Read the third time as engrossed—a Bill for raising a Revenue in this Province.

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

House in Committee—

Captain *Agnew* in the Chair—

Took into consideration a Bill for appropriating certain Monies for defraying the expences of the Province.

The *Speaker* resumed the Chair—

The Chairman reported—that the Committee had taken the said Bill into consideration—and had agreed to the same.

Ordered, That the report be accepted—and that the said Bill be engrossed.

Read the second time—a Bill to explain and amend an Act, intituled, “an Act for appointing Commissioners of Sewers.”

Ordered, That the said Bill be committed.

House in Committee—

Captain *Agnew* in the Chair—

Took into consideration a Bill for granting certain Sums for repairing and laying out Roads.

The *Speaker* resumed the Chair—

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

Ordered, That the said report be accepted—and that the Bill be engrossed.

A Message from the Council, informing the House that the Council have concurred in passing the Bill “to empower the Justices of the Peace for the County of *York*, to make such regulations respecting the Winter Roads or Highways in that County, as may be found necessary”—with several amendments.

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

TUESDAY, 17th FEBRUARY, 1801.

PRAYERS.

Read the third time as engrossed—a Bill for appropriating certain Monies for defraying the expences of the Province—and a Bill for granting certain Sums for repairing and laying out Roads.

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

A Message from the Council, with a Bill “in addition to and in amendment of an Act, intituled, ‘an Act for the better regulating the Militia in this Province.’

Which Bill was read the first time.

The amendments made by the Council to the Bill “to empower the Justices of the Peace for the County of *York*, to make such regulations respecting the Winter Roads or Highways in that County, as may be found necessary,” being read—

Resolved, That this House do concur in the said amendments.

And *Ordered*, That the said Bill be returned to the Council.

A Message from the Council, informing the House that the Council have concurred in passing the Bill “to repeal all the Acts now in force relating to Trespasses, and for making new regulations to prevent the same,” with amendments.

Read the second time—the Bill from the Council “in addition to and in amendment of an Act, intituled, ‘an Act for the better regulating the Militia in this Province.’

Ordered, That the said Bill be committed.

House in Committee—

Mr. *William Pagan* in the Chair—

Took into consideration a Bill to explain and amend an Act, intituled, ‘an Act for appointing Commissioners of Sewers.’

The *Speaker* resumed the Chair—

The Chairman reported—that the Committee had taken the said Bill into consideration—and had agreed to the same under the title of a Bill for removing doubts respecting the authority of Commissioners of Sewers.

Ordered, That the said report be accepted—and that the Bill be engrossed.

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

WEDNESDAY, 18th FEBRUARY, 1801.

PRAYERS.

Read the third time as engrossed—a Bill for removing doubts respecting the authority of Commissioners of Sewers.

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

The amendments made by the Council to the Bill “to repeal all the Acts now in force relating to Trespasses, and for making new regulations to prevent the same” being read—

Resolved, That this House do concur therein.

Ordered, That the said Bill be returned to the Council.

A Message from the Council, informing the House that the Council have concurred in passing the “Bill for erecting a Court-House and Gaol in the County of *Westmorland*, and for altering the Shire-town of the said County.”

A Message from the Council, with a Bill “for preserving the Bank of the River *Saint John*, in front of the Parish of *Lincoln*, in the County of *Sunbury*.”

Which Bill was read the first and second time—and ordered to be committed.

On

On motion of the *Attorney-General*—*Resolved*, That an humble Address be presented to His Excellency the Lieutenant-Governor, requesting him to give the necessary orders for completing the Map of the Province, so far as shall be practicable, from the late Surveys made under the direction of the Commissioners for ascertaining the Boundary between this Province and the *United States of America*; and that this House will make provision for defraying the expence thereof at the next Session of the General Assembly.

House in Committee—

Mr. *Robert Pagan* in the Chair.

Took into consideration the Bill from the Council “for preserving the Bank of the River *Saint John*, in front of the Parish of *Lincoln*, in the County of *Sunbury*.”

The *Speaker* resumed the Chair—

The Chairman reported—that the Committee had taken the said Bill into consideration—and had concurred therein with amendments.

Ordered, That the said report be accepted—and that the Bill, as amended, be returned to the Council.

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

THURSDAY, 19th FEBRUARY, 1801.

PRAYERS.

The House resolved itself into a Committee on the consideration of the Bill from the Council “in addition to and in amendment of an Act, intituled, ‘an Act for the better regulating the Militia in this Province.’—

The *Attorney-General* in the Chair.

The *Speaker* resumed the Chair—and

The Chairman reported—that the Committee had taken the said Bill into consideration, and had concurred therein with amendments.

Which report was accepted—and

Ordered, That the said Bill, as amended, be returned to the Council.

A Message from the Council, informing the House that the Council agree to the amendments of the Bill “for preserving the Bank of the River *Saint John*, in front of the Parish of *Lincoln*, in the County of *Sunbury*.”

A Message from the Council, informing the House that the Council have concurred in passing the Bill “for raising a Revenue in this Province”—also the Bill “for appropriating certain Monies for defraying the expences of the Province”—and the Bill “for granting certain Sums for repairing and laying out Roads.”

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

FRIDAY, 20th FEBRUARY, 1801.

PRAYERS.

Ordered, That Two Hundred Copies of the Journal of the Votes and Proceedings of this House in the present Session be printed;—and that the Members for the City and County of *Saint John*, be a Committee to contract for, and superintend the printing of the same.

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

SATURDAY,

SATURDAY, 21st FEBRUARY, 1801.

PRAYERS.

A Message from His Excellency the Lieutenant-Governor, requiring the attendance of this House in the Council Chamber.

The House having attended accordingly—

Mr. *Speaker* presented to His Excellency a Bill “for raising a Revenue in this Province”—a Bill “for appropriating certain Monies for defraying the expences of the Province”—and a Bill “for granting certain Sums for repairing and laying out Roads”—and spoke as follows, viz.—

“*May it please Your EXCELLENCY!*

“THE House of Assembly have passed these Bills and have directed me to present them; humbly requesting your Excellency will be pleased to assent thereto.

“The House have been particularly attentive to the various important objects recommended by your Excellency to their consideration. In the discharge of this duty, they have provided for the payment of the Debts of the Province; have provided for carrying on the Building for the accommodation of the General Assembly and the Courts of Justice towards completion; and have not failed to attend to that important object suggested to your Excellency by His Royal Highness the DUKE of KENT, of facilitating the communication by land from *Halifax*, through this Province, to *Quebec*.

“These Grants have been made with the most liberal intentions, and as far as the abilities of the Province will admit: And the House have the fullest confidence that the Sums granted will be expended with all the œconomy the general interests of the Province require.”

And His Excellency was pleased to give his Assent to the following Bills—viz.—

An Act for raising a Revenue in this Province.

An Act for the rendering Justices of the Peace more safe in the execution of their Office; and for indemnifying Constables and others acting in obedience to their Warrants.

An Act to repeal all the Acts now in force relating to Trespasses, and for making new regulations to prevent the same.

An Act for the better securing the Navigation of *Passamaquoddy Bay* within *Deer Island*.

An Act for the support and relief of confined Debtors.

An Act for erecting a Court-House and Gaol in the County of *Westmorland*, and for altering the Shire-town of the said County.

An Act to continue an Act made and passed in the thirty-sixth year of His Majesty's reign, intituled, “an Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns or Parishes in this Province, and for suspending for a limited time all the Laws now in force relating to the same.”

An Act for the further and better support of the Poor in the City of *Saint John*.

An Act for preserving the Bank of the River *Saint John*, in front of the Parish of *Lincoln*, in the County of *Sunbury*.

An Act to continue an Act, intituled, “an Act for preserving the Bank of the River *Saint John*, in front of the Parishes of *Maugerville*, *Sheffield*, and *Waterborough*.”

An

An Act to empower the Justices of the Peace for the County of *York*, to make such regulations respecting the Winter Roads in that County, as may be found necessary.

An Act for appropriating certain Monies for defraying the expences of the Province.

And an Act for granting certain Sums for repairing and laying out Roads.

And then His Excellency was pleased to make the following Speech to both Houses, viz.—

“ *Gentlemen of the Council,*

“ *And Gentlemen of the Assembly,*

“ **T**HE business before you being now completed, I avail myself of the
“ occasion to express the satisfaction afforded me by the harmony with
“ which your proceedings have been conducted; and from which I anticipate
“ the future prevalence of that spirit of moderation in our public Councils,
“ which is of such importance to the public welfare.

“ You have formerly declared your concurrent resolution to be governed,
“ in all your deliberations, by the rules of Parliamentary proceeding; and
“ I trust, that you will ere long, surmount every difficulty which may have
“ stood in the way of your carrying this wise and loyal resolution into complete effect.”

After which the Clerk of the Crown, by His Excellency's command, said—
“ It is His Excellency's will and pleasure, that this GENERAL ASSEMBLY be
“ prorogued to the First TUESDAY in JUNE next; and the same is hereby
“ prorogued accordingly.

