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# JOURNAL

AND

PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY,

1807-*8*





# PROCLAMATION.

BY HIS EXCELLENCY

SIR JOHN WENTWORTH, BARONET, L. L. D.

*Lieutenant Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia, and its Dependancies, &c. &c. &c.*

**W**HEREAS the *General Assembly* of this Province, stands prorogued to Monday the 2d day of November next :

I have therefore thought fit further to prorogue the said *General Assembly* to Thursday the 3d Day of December next ; *then to meet for the Dispatch of Business* ; of which all persons concerned, are hereby required to take notice and govern themselves accordingly.

GIVEN under my Hand and Seal at Arms, at Halifax, this 20th day of October, 1807, and in the 47th year of His Majesty's Reign.

**J. WENTWORTH.**

*By His Excellency's Command,*

B. WENTWORTH.

GOD save the KING.

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# JOURNAL

AND

## PROCEEDINGS

OF THE

### HOUSE OF ASSEMBLY,

Of the Province of Nova-Scotia, Thursday, 3d December, 1807.

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**A** MESSAGE from His Excellency the Lieutenant-Governor by Mr. Gautier, Deputy Secretary :

MR. SPEAKER,

His Excellency commands this House to attend his Excellency the Lieutenant-Governor, immediately, in the Council Chamber.

Accordingly Mr. Speaker, with the House, went up to attend his Excellency.

And being returned,

Mr. Speaker reported that the House had attended in the Council Chamber, where the President of his Majesty's Council (being commissioned by his Excellency the Lieutenant-Governor for that purpose) read a Speech from his Excellency to the two Houses, of which Mr. Speaker said he had, to prevent mistakes, obtained a Copy, as also a Copy of his Excellency's Commission to the President, which he read, as follows :

*Gentlemen of His Majesty's Council, and*

*Gentlemen of the Assembly,*

**I** AM extremely sorry, that a very severe domestic affliction, deprives me of the pleasure of meeting you, in person, at the opening of this Session of the General Assembly.

Differences having, unfortunately, arisen between His Majesty's Government and that of the United States of America, threatening an interruption to the peace and amity subsisting between them ;—I deemed it necessary for His Majesty's service, and being requested thereto, by the Commander in Chief of His Majesty's Forces here, as a measure of precaution, and to assist the Garrison in repairing and strengthening the fortifications in this place, to order a proportion of the Militia to be called into actual service ; and I have the greatest reason to be satisfied with the zeal and alacrity with which the order has been obeyed.—As it may be requisite to continue them in service should war be declared, or until an accommodation of the differences shall take place, I recommend to the Assembly to grant a sum of money sufficient to enable me to provide the men on duty, with such warm clothing, as may be proper to render them comfortable during the severity of the winter : and to be expended wholly or in part, as circumstances may require.

The accounts of the receipt and expenditure of the Public Revenue, which I shall direct to be immediately laid before you, will detail a full statement of the resources and expences of this Government for the past year ; and, I rely on the disposition of the Assembly, to provide such further aids and supplies for the ensuing year, as the exigencies of the Government, and His Majesty's Service may render necessary,

Many



Many of the Temporary Laws, which are annually continued, having stood the test of experience, and been found useful and expedient, I submit to the consideration of the Assembly, the propriety of rendering them perpetual by a short Bill, in which I shall readily concur.

You may also rely on my concurrence in every measure which, on due consideration, shall appear to be conducive to the advantage of His Majesty's Government, and the interest and prosperity of the Province; and I recommend to you, in all your proceedings, diligence, moderation, and mutual forbearance, with as much dispatch, as the nature of the business that may come before you, will admit of.

(L. S.)

TO THE HONORABLE  
SAMPSON SALTER BLOWERS,

*Chief Justice and President of His Majesty's Council.*

YOU are hereby authorized and commissioned, in my name and behalf, to convene the two Houses in the Council Chamber, and to deliver the foregoing Address to them, on the opening of the present Session; for which this shall be your sufficient Warrant.

GIVEN under my Hand and Seal, at Halifax, the third day of December, 1807.

J. WENTWORTH.

The Speaker, also, reported, that the President of His Majesty's Council had signified to the House, that it was his Excellency's request, that the House do adjourn until Monday next.

Simon Bradstreet Robie, Esq; returned duly elected as a Representative for the County of Halifax, and

James Lent, Esq; returned duly elected as a Representative for the County of Shelburne, severally took the usual oaths, and their seats.

On motion, the House adjourned until Monday next, at Eleven of the Clock.

Monday, 7th December, 1807.

On motion, *ordered*, that Mr. Hutchinson, Mr. Archibald, and Mr. Robie, be a Committee to prepare an Answer to his Excellency's Speech.

On motion, *ordered*, that Mr. Crane, Mr. Lawson, Mr. James, Mr. Pierfon, and Mr. Collins, be a Committee of this House, for the purpose of examining the Public Accounts, jointly with a Committee of His Majesty's Council; and that the Clerk do acquaint the Council therewith.

On motion, *ordered*, that Mr. Archibald, Mr. Ritchie, Mr. Haliburton and Mr. Hutchinson, be a Committee to examine into, and report on, the expiring Laws.

*Resolved*, That no Petition of a private nature be received after the 17th instant.

Mr. Pyke, presented to the House an Account from Mr. Treasurer Wallace, of all Monies received by him into, and payments by him made from, the Province Treasury, between the 31st October, 1806, and the 31st October, 1807.

*Ordered*, That the Account do lie on the Table to be perused by the Members of the House.

On motion, *resolved*, that Joseph Aplin, Esq; be employed in drafting and preparing such Bills as may be required by the House, in the present Sessions; and that this House will provide for the payment of his services.

A message from the Council, acquainting the House, that they had appointed a Committee, to join the Committee of this House, on the examination of the Public Accounts

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

Tuesday, 8th December, 1807.

PRAYERS.

Mr. Pyke delivered to the House from the Commissioners of the Island of Sable, an Account of the Receipts and Expenditures for that Establishment between the 4th December 1806, and the 4th December 1807, amounting to 619l. 19s. 7d. with the several vouchers for the same; and, thereupon,

*Ordered*, That the said papers be referred to Mr. Hutchinson, Mr. Warwick and Mr. Dimock, and also the Accounts respecting the Public Markets in Halifax, and that they do examine into the same, and report thereon to the House.

On motion of Mr. Hutchinson, *ordered*, That Mr. Hutchinson, Mr. Archibald, Mr. Robie, and Mr. Lawson, be a Committee to take into consideration the Revenue Laws of the Province, and for preparing and bringing in a Bill to consolidate the said Laws into one Act.

On motion, *resolved*, That a Committee be appointed to examine into the expenditure of all monies granted for Roads and Bridges, which have not yet been accounted for to the Legislature, and report thereon to the House.

*Ordered*, That Mr. Collins, Mr. Haliburton, Mr. Warwick, Mr. Pierfon, and Mr. Baker, be a Committee for the above purpose.

Mr. Hutchinson reported from the Committee appointed to prepare an Address in answer to his Excellency's Speech, and presented an Address accordingly, which he read in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

TO HIS EXCELLENCY

SIR JOHN WENTWORTH, BARONET, L. L. D.

Lieutenant-Governor and Commander in Chief, in and over His Majesty's Province of Nova Scotia and its Dependencies, &c. &c. &c.

*The ADDRESS of the HOUSE of REPRESENTATIVES in General Assembly:*

MAY IT PLEASE YOUR EXCELLENCY,

**W**E His Majesty's faithful Commons of Nova-Scotia, respectfully assure your Excellency of our sincere sorrow for the great domestic affliction which prevented your Excellency's presence at the opening of this Session of the General Assembly; but we feel our sorrow much alleviated by cherishing the hope that this affliction approaches to a favorable termination.

The differences between His Majesty's Government and that of the United States of America, which have rendered necessary the calling into actual service a proportion of the Militia of the Province, not being yet accommodated, the Assembly will deliberate on your Excellency's recommendation of the grant of a sum of money to provide warm clothing for the men who may be employed on Duty during the winter.

When the Public Accounts shall have been examined, and the state of the Revenues ascertained, we shall cheerfully grant those Supplies which the Exigencies of the Government, and His Majesty's Service, may require for the ensuing year.

We shall cause a careful revision to be made of the temporary Laws, and shall consider the expediency of rendering perpetual such of them as have been long tried, and appear to be of public utility ; and we shall strive to conduct the business of the Sessions with moderation and dispatch.

*Resolved*, That the said Address be presented to his Excellency by the whole House.

*Ordered*, That the Clerk do wait on his Excellency the Lieutenant-Governor, to know his pleasure when he will be attended by the House.

Mr. Hutchinson, pursuant to leave given, presented a Bill to amend the Act for ascertaining damages and Interest on Bills of Exchange : and the same was read a first time.

*Resolved*, That the Bill be read a second time.

Mr. Lawson, pursuant to leave given, presented a Bill in further amendment of the Act for regulating the exportation of Fish, and the Affize of Barrels, &c. and the same was read a first time.

*Resolved*, That the Bill be read a second time.

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

Wednesday, 9th December, 1807.

PRAYERS,

A Bill to amend the Act for ascertaining damages and interest on Bills of Exchange ; and, also,

A Bill in further amendment of the Act for regulating the exportation of Fish and the Affize of Barrels, &c. were severally read a second time.

*Resolved*, That the Bills be committed to a Committee of the whole House.

The Clerk reported that he had, pursuant to Order, waited on his Excellency the Lieutenant-Governor, to know when he would be pleased to receive the Address of the House ; and that his Excellency had appointed this day at one of the Clock, at the Government-House.

The Speaker, and the House, attended his Excellency the Lieutenant-Governor with their Address, pursuant to the resolution of yesterday.

And being returned,

Mr. Speaker reported, that his Excellency was pleased to give this answer :

*Mr. SPEAKER, and*

GENTLEMEN of the HOUSE of REPRESENTATIVES,

**I** AM much obliged in your Address, and feel great consolation in your kind consideration of my domestic affliction and friendly wishes for its relief.

I am also truly sensible of the wise intentions you express towards His Majesty's Service, and that you will further manifest it, in zealous endeavours to promote the interests and safety of this Province, at this eventful crisis, which most indispensibly demands the united energy and liberality of every faithful heart.

J. WENTWORTH.

On motion, the House resolved itself into a Committee of the whole House, on the consideration of the Bill to amend the Act for ascertaining damages and interest on Bills of Exchange.

Mr. Speaker left the Chair ;  
 Mr. Pyke took the the Chair ;  
 Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the Bill to them referred, and had made several amendments thereunto, which they had directed him to report to the House, and he afterwards delivered the Bill, with the Amendments, in at the Clerk's Table.

The said Amendments were read throughout a first and second time : and upon the Question severally put thereupon, agreed to by the House.

*Ordered*, That the Bill, with the Amendments, be engrossed.

Mr. Haliburton, pursuant to leave given, presented a Bill for extending the provisions of the Act for the appointment of Inspectors of Butter in the County of Cumberland : and the same was read a first time.

*Resolved*, That the Bill be read a second time.

An Engrossed Bill to amend the Act for ascertaining damages and interest on Bills of Exchange, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to amend an Act, made and passed in the thirty-fourth year of his late Majesty's reign, entitled, an Act for ascertaining damages and interest on protested Bills of Exchange.

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence to the same.

Then the House adjourned until to-morrow, at Eleven of the Clock.

Thursday, 10th December, 1807.

PRAYERS.

A Bill for extending the Provisions of the Act for the appointment of Inspectors of Butter in the County of Cumberland, was read a second time.

*Resolved*, That the Bill be committed to a Committee of the whole House.

On motion of Mr. Haliburton, *resolved*, that a Committee be appointed to join a Committee of his Majesty's Council, for the purpose of taking into consideration the state of the Fisheries and Agriculture of the Province, and of the advantage resulting from the several bounties granted to encourage the same; and to make a report thereon; and that the Clerk do acquaint the Council therewith.

*Ordered*, That Mr. Collins, Mr. Lent, Mr. Warwick, Mr. Baker, and Mr. Morton, be a Committee for that purpose.

On motion, the House resolved itself into a Committee of the whole House, on the consideration of the Bill for extending the Provisions of the Act for the appointment of Inspectors of Butter in the County of Cumberland.

Mr. Speaker left the Chair.

Mr. Pyke took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had deferred the consideration of the said Bill to the next Session: and he afterwards delivered the Bill in at the Clerk's Table.

The

The said report of the Committee was, upon the question put thereupon, agreed to by the House.

Then the House adjourned until to-morrow, at Eleven of the Clock.

Friday, 11th December, 1807.

PRAYERS.

A Message from the Council, acquainting the House that they had appointed a Committee to join the Committee of this House, on the subject of the Fisheries and Agriculture of the Province.

Mr. Hutchinson reported progress from the Committee to whom the Accounts of the Public Markets in Halifax, and of the Island of Sable, were referred: and thereupon,

On motion, *resolved*, that the Committee be discharged, and that the said Accounts be examined into, and reported on, by the joint Committee of this House and of his Majesty's Council, appointed to examine the Public Accounts of the Province.

On motion of Mr. Robie, the House came to the two following resolutions, viz.

*Resolved*, unanimously, That a Committee be appointed to draft an Address to the Honorable Vice-Admiral Berkeley, expressive of the regret of this House at the prospect of his removal from the command of his Majesty's Naval Forces on this Station, and of the high sense the House entertains of the value of his services in the protection of the Trade and Maritime Interests of this Province.

*Resolved*, unanimously, That the sum of One Hundred Guineas be granted for the purpose of purchasing, for the Honorable Vice-Admiral Berkeley, a Piece of Plate, or a Sword, as a testimonial of the respect and esteem of this Province.

*Ordered*, That Mr. Robie, Mr. Tonge and Mr. Haliburton, be a Committee to prepare an Address to Vice-Admiral Berkeley, agreeable to the foregoing resolution.

*Ordered*, That the Clerk do carry the resolution for granting the sum of One Hundred Guineas for the purpose above mentioned to the Council, and desire their concurrence to the same.

Then the House adjourned until to-morrow at Eleven of the Clock.

Saturday, 12th December, 1807.

PRAYERS.

Mr. Haliburton, pursuant to leave given, presented a Bill for establishing, and defraying the expence of, Schools throughout the Province: and the same was read a first time.

*Resolved*, That the Bill be read a second time.

Mr. Lawson reported from the Committee appointed to join a Committee of his Majesty's Council, to examine the Public Accounts, and he read the Report in his place, and afterwards delivered it in at the Clerk's table, where it was read, and is as follows:

*Treasurer of the Province.*

His Accounts have been received to the 31st October last, properly stated, and all charges regularly vouched: there appears to be a balance in hand, of

£4,917 15

*Collectors of Impost and Excise—Halifax.*

The Accounts to the 30th September last, have been received, and are correct: there appears to be a balance of bonds in the Collector's hands for collection, subject to the usual Drawbacks of

of	-	-	£.22,529	13	4
Balances on bonds in the hands of the Attorney-					
General	-	-		710	18
				<hr/>	
					7

£.23,240-11-11

N. B. Doubtful debts on bonds in the Attorney General's hand not including in the foregoing—Vizt.

John Marsters	-	£.71	11	11
James Kidston	-	25	9	5
Rowland Ames	-	31	9	3
David Rudolph	-	82	17	8
		<hr/>		
		£.211	8	3

£.211 8 3

*Lunenburg.*

There still remains due by the former Collector,

£.18 0 4

The present Collector states, that no duties were secured last year; he has remitted £.438 of the sum reported to be due last year; and he still remains accountable for

56 10 1

*Liverpool.*

Returns are made to the 30th September, which are correct. His Accounts have been received to same date, which are not correct: he states having remitted to the Treasurer 539l. 12s. 6d. but by the Treasurer's Accounts only 488l. 12s. 6d. have been received. The Treasurer states, that since his Accounts were closed, he has received a remittance in cash, of 150l. and in orders, of 180l. together 330l. It appears that the Collector still remains accountable for

£.793 1 11

*Annapolis.*

The balance due by the former Collector still remains unpaid. The Executors of the late Collector Robert Dickson, have to account for a balance due from his Estate of

£.301 5 2

620 5 1

The present Collector's Accounts, to the 10th November, have been received, and are correct; there appears a balance in Securities to be collected, of

651 15 3

*Shelburne.*

The Returns of Duties secured to the 30th September last, have been received, amounting to 120l. 7s. 11d. The Collector's Account has likewise been received, which is not correct; after crediting him for 407l. 5s. paid the Treasurer, as credited in his Accounts, he remains accountable for

£.232 1 5

*Tarmouth.*

No Returns, nor Remittances.

By the last year's Report the Collector was accountable for the sum of

£.279-18 0½

*Cumberland.*

No Returns.

By the Treasurer's Account, it appears the Collector has remitted him

12 0 5

C

Colchester.

*Colchester,*

No Returns.

*Sydney,*

No Returns.

*King's County.*

No Returns.

The balance reported to be due last year, has been remitted to the  
Treasurer

*Hants.*

The Collector's Accounts to the 30th September, have been received,  
and are correct: there appears a balance due by him, of

£.59 0 1

The Treasurer states that since closing his Accounts the above balance  
has been paid.

*Piscu.*

The Collector's Accounts to the 23d March, 1807, have been received,  
properly stated, and are correct, and the amount of duties col-  
lected and paid into the Treasury; by the Treasurer's Account it ap-  
pears a further remittance has been made him of £.8 17 6

*Light Houses.*

*Halifax,*

The Collector's Accounts to the 30th Sept. have been received and  
are correct, the amount paid into the Treasury

565 19 1

*Shelburne.*

The Accounts to the 30th Sept. have been received, are correct,  
and the amount paid into the Treasury

57 17 4

*Liverpool.*

The Accounts to the 30th Sept. have been received, are correct, and  
the amount paid into the Treasury

23 4 5

*Annapolis.*

No Returns, nor Remittances.

*Yarmouth.*

The Accounts to the 1st April, have been received, are correct, and  
the amount paid into the Treasury,

22 12 1

The Treasurer's account has been received to the 31st October, is  
correct, balance in his hands

112 6 11

Committee Room, Halifax, 12th Dec. 1807,

ANDREW BELCHER, }  
CHARLES HILL, } *Committee*  
of Council.

WILLIAM LAWSON,  
THOMAS PEARSON,  
EDWARD JAMES,  
GEORGE COLLINS,

} *Committee of*  
*the House of*  
*Assembly.*

Dr. The Province of NOVA-SCOTIA,

1807.

October 31. To the following Sums appropriated and not yet drawn from the Treasury, viz:

Roads and Bridges	£.1,318	5	11
Balance on Emigrant Vote	17	14	7
Philadelphia Grant	50	0	0
Survey of Douglafs Grant	22	4	4
Purchase of Hemp Seed	180	0	0
Balance on Vote of 400l. to enable the Lieutenant-Governor to order repairs to broken bridges and caufeways	11	7	6
Balance of Votes for Annapolis Light-House	217	12	9
Balances on Fish Bounties	2,618	0	0
Alterations and repairs to old Government-House	142	13	0
Bounty to Seamen	304	15	0
King's College, Windsor	333	6	8
Isaac Hildrith	210	0	0
Widow of the late Judge Brenton	100	0	0
For a Plan of the Province	30	0	0
For repairing and building Light-Houses	900	0	0
Balancé of Salt Bounty	176	18	9
To Balance		6,632	18
		12,237	15
		4	
		£.18,870	13
		10	

Committee Room, Halifax 12th Dec. 1807.  
 ANDREW BELCHER, } Committee of Council.  
 CHARLES HULL, }

Contra

1807.

October 31. By Balance of the Treasurers Account £.4,917 15 0  
 Ditto on Light-House Accounts 112 6 11  
 By Securities in the hands of the Collectors of Impost and Excise of Halifax District, and the Attorney General £23,240 11 11  
 Deduct probable drawbacks 12000

By Balancés unremitted, and Securities in the hands of the Out-Port Collectors £3,223 5 8  
 Deduct probable drawbacks 623 5 8

2,600 0 0

£.18,870 13 10

WILLIAM LAWSON,  
 THOMAS PEARSON,  
 EDWARD JAMES,  
 GEORGE COLLINS, } Committee of the House of Assembly.



*Ordered*, That the said Report do lie on the Table to be perused by the Members of the House.

On Motion, the House resolved itself into a Committee of the whole House, on the consideration of the Bill in further amendment of the Act for regulating the exportation of Fish, and the assize of Barrels, &c.

Mr. Speaker left the Chair.

Mr. Pyke took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had made some progress in the Bill to them referred, and that they had directed him to move for leave to sit again, on the further consideration of the same; which report the House agreed to.

Then the House adjourned until Monday, at Eleven of the Clock.

Monday, 14th December, 1807.

PRAYERS.

A Bill for establishing and defraying the expence of Schools throughout the Province, was read a second time.

*Resolved*, That the Bill be committed to a Committee of the whole House.

Mr. Lawson presented to the House an Account of David Thompson, for his services as Health Officer, for the Port of Halifax, between the 25th July and 20th October, 1806, amounting to 15l. and thereupon,

*Ordered*, That the said Account do lie on the Table.

Mr. Lawson presented to the House an Account of John Philipps, for his services as Health Officer, for the Port of Halifax, between the 20th July, 1804, and 20th November, 1805, amounting to 30l. and thereupon,

On motion, *resolved*, that the Petition be dismissed.

A Petition of David Black, in behalf of himself, and others, debtors, confined in the Jail of Halifax, was presented by Mr. Robie, and read, setting forth, That from their long confinement and extreme poverty, they are destitute of the necessaries of life, and praying relief.

A Petition of Robert King, was presented by Mr. Haliburton, and read, setting forth, That he has made a settlement and placed a family on a tract of land on the road between Windsor and Chester, about twelve miles from the former place, which have been the means of affording accommodation to travellers, passing that way, and praying the aid of the House to enable him to extend his improvements, and keep a house of entertainment.

*Ordered*, That the Petitions do lie on the Table.

On motion, the House resolved itself into a Committee of the whole House, on the consideration of the Bill for establishing and defraying the expence of Schools throughout the Province.

Mr. Speaker left the Chair;

Mr. Pool took the the Chair;

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had made some progress in the

the Bill to them referred, and that he was directed by the Committee to move for leave to sit again on the further consideration of the same; which report the House agreed to.

Then the House adjourned until to-morrow, at Ten of the Clock.

Tuesday, 15th December, 1807.

PRAYERS.

On Motion, the House resolved itself into a Committee of the whole House on the further consideration of the Bill for establishing and defraying the expence of Schools throughout the Province.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the Bill to them referred, and that he was directed by the Committee to move for leave to sit again on the further consideration of the same; which report the House agreed to.

A Message from the Council by Mr. Gautier :

Mr. Speaker,

The Council have agreed to the resolution of this House of the 11th instant, for granting the sum of One Hundred Guineas for the purpose of purchasing a Piece of Plate, or a Sword, for the Honorable Vice-Admiral Berkeley.

And then the Messenger withdrew.

On motion of Mr. Tonge, *resolved*, That a conference be desired with His Majesty's Council, by Committee, on the subject matter of the foregoing Resolution, and that the Clerk do request the same.

A Message from the Council by Mr. Gautier.

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act to amend an Act passed in the 34th year of His late Majesty's reign, entitled, An Act for ascertaining damages on protested Bills of Exchange, with an amendment, to which they desire the concurrence of the House.

The Council have agreed to the Conference, as desired by this House, immediately, in the Committee Room of the Council.

And then the Messenger withdrew.

*Ordered*, That Mr. Robie, Mr. Haliburton, and Mr. Tonge, do manage the said Conference, and they went to the Conference accordingly.

The House proceeded to the consideration of the amendment made by the Council to the Bill above mentioned, and the same being read throughout a first and second time was, upon the question put thereupon, agreed to by the House.

*Ordered*, That the Clerk do carry the Bill to the Council, and acquaint them this House hath agreed to the amendment made by them.

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

Wednesday, 16th December, 1807.

PRAYERS.

Mr. Robie reported from the Committee appointed to prepare an Address to the

Honorable Vice-Admiral BERKELEY, and presented an Address accordingly, which he read in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

TO THE HONORABLE  
GEORGE CRANFIELD BERKELEY,

Vice-Admiral of the White, Commander in Chief of His Majesty's Ships and Vessels  
on the Halifax Station, &c. &c.

*THE ADDRESS OF THE REPRESENTATIVES OF THE PROVINCE OF NOVA-SCOTIA :*

SIR,

**I**T is with infinite regret we learn, that your immediate departure from hence is likely to terminate the period of your command in this country.

We cannot suffer you to leave the Province without tendering, for ourselves and our Constituents, our acknowledgments for the benefits received from your protection of its Trade—your great attention to the promotion of its Maritime Interests, and the uncommon regard you have ever manifested for the liberties of the Subject, and the individual welfare of the People of this Country, who will long retain a grateful sense of your conduct in these particulars.

Under these impressions we have voted the sum of One Hundred Guineas for the Purchase of a Piece of Plate, which we trust you will consider as a proof of our high respect and esteem, and our gratitude for your Services to this Country.

We beg leave to assure you of our cordial good wishes for the health, prosperity and happiness of yourself, your Lady, and Family; that you may enjoy a safe and agreeable passage to your native land, and that you may receive the entire approbation of Our Most Gracious Sovereign for your conduct during the time of your continuance on this command, throughout which you have, with equal firmness and moderation, supported the honour of the British Flag, and the most important interests of your country.

*Resolved,* That the said Address be presented to the Honorable Vice-Admiral Berkeley, by a Committee of this House.

*Ordered,* That Mr. Robie, Mr. Tonge, Mr. Archibald, Mr. Wells, Mr. Lawson, Mr. Collins and Mr. Pearson, be a Committee agreeable to the foregoing Resolution.

Mr. Haliburton moved, That the Address to the Honorable Vice-Admiral Berkeley, be committed to a Committee of the whole House, which being seconded and put, and the House dividing thereon, there appeared for the motion seven, against it fifteen. So it passed in the Negative.

Mr. Allen moved, that the House do now resolve itself into a Committee of the whole House, on the consideration of the Bill, for establishing and defraying the expence of Schools, &c. which being seconded, thereupon,

Mr. Archibald moved, that the further consideration of the said Bill, be deferred to this day seven days, which being seconded and put, passed in the negative, and thereupon,

On Motion, the House resolved itself into a Committee of the whole House, on the consideration of the Bill before-mentioned.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the Bill to them referred, and that they had made several amendments thereunto, which they had directed him to report to the House, and he afterwards delivered the Bill, with the amendments, in at the Clerk's Table. The

The Amendments were read throughout a first and second time, and thereupon, Mr. Archibald moved, that the Bill be recommitted, which, being seconded and put, passed in the affirmative, and thereupon,

The House resolved itself into a Committee of the whole House, on the further consideration of the said Bill.

Mr. Speaker left the Chair;

Mr. Pool took the Chair;

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the Bill to them referred, and that they had made several farther amendments thereunto, which they had directed him to report to the House, and he afterwards delivered the Bill, with the amendments, in at the Clerk's Table.

The said Amendments were read throughout a first and second time: and upon the Question severally put thereupon, agreed to by the House.

*Ordered*, That the Bill with the amendments be engrossed.

Mr. Tonge reported that the Committee had conferred with the Committee of his Majesty's Council, agreeable to the resolution of yesterday, and stated the substance of the said conference to the House.

On motion of Mr. Tonge, *resolved*, that a Committee be appointed to wait on his Excellency the Lieutenant Governor, on the subject of the joint resolution of this House and his Majesty's Council, for granting One Hundred Guineas, for purchasing a piece of Plate for the Honorable Vice Admiral *Berkeley*, and thereupon,

*Ordered*, That Mr. Pyke, Mr. Archibald, and Mr. Marshall, be a Committee accordingly.

Mr. Pyke reported from the Committee appointed to wait on his Excellency the Lieutenant Governor, agreeable to the foregoing resolution, that his Excellency had been waited on accordingly, and that his Excellency had been pleased to give this answer:

GENTLEMEN,

As this is the first communication had with me upon this measure, and understanding it had occupied the attention of both Houses for several days, with various effect, it becomes me, from a due and most cordial respect to all concerned, to consider the Vote with the same deliberation as has been exercised in its progress; as soon, therefore, as my determination can be properly prepared it shall be regularly communicated.

J. WENTWORTH.

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

Thursday, 17th December, 1807.

PRAYERS.

An engrossed Bill for establishing and defraying the expence of Schools throughout the Province, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act for establishing and defraying the expence of Schools throughout the Province.

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence to the same.

A Petition of Jonathan and John Tremain was presented by Mr. Lawton, and read, praying

praying for a return of Impost Duty, paid by them on a quantity of Hemp, imported from the United States of America, under a Licence from his Excellency the Lieutenant Governor, amounting to £.79 12 6.

A Petition of Rufus G. Taylor, was presented by Mr. Robie, and read, praying for a drawback of Duties on 2907 gallons of Wine by him exported, and landed in the Island of St. Domingo in the year 1806.

A Petition of Isaiah Shaw, was presented by Mr. Wells, and read, praying for a drawback of Duties on 480 gallons of Rum, exported to Passamaquoddy in July last, amounting to £.14.

*Ordered*, That the said Petitions do lie on the Table.

A Petition of Robert M'Elhinney, was presented by Mr. Archibald, and read, praying an allowance for his services as a Commissioner in expending the sum of £.110, in building a bridge over the Foley River in Londonderry, and the repairing of the Great Village Bridge, and the Road from thence to the bounds of Cumberland.

A Petition of William Blair, was presented by Mr. Marsters, and read, praying to be relieved from his Contract for building a Bridge over the North River, in Onslow, in consequence of losses sustained by him in Materials and Labour in the execution of his Contract, by heavy rains and floods.

*Ordered*, That the said Petitions be referred to the Committee appointed to examine into the expenditure of Monies granted for Roads and Bridges.

A Message from the Council by Mr. Gautier :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act, to amend an Act, passed in the Thirty-fourth year of His late Majesty's Reign, entitled, an Act, for ascertaining damages on protested Bills of Exchange, without any amendment.

And then the Messenger withdrew.

A Petition of Samuel Hart, was presented by Mr. Dimock, and read, praying for a drawback of the Duties on 3326 gallons of Rum, imported from Jamaica, in the year 1804, amounting to £.41 11 6, and thereupon,

On motion, *resolved*, That the Petition be dismissed.

On motion, the Writ for electing a Member for the County of Sydney, in the room of the late Edward Irish, Esq. deceased, and the Sheriff's return to the said Writ, were read, and thereupon,

On motion of Mr. Hutchinson, *ordered*, That the Sheriff of the County of Sydney be directed to attend at the Bar of this House to-morrow at eleven o'clock, to receive the order of the House, on the subject of his return on the Writ for electing a Member for the said County.

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

Friday, 18th December, 1807.

PRAYERS.

A Petition of Alexander Dick, was presented by Mr. Haliburton, and read, praying that a sum of money may be granted for the improvement of the road from the mouth of the River Shubenacadie, to the bridge near Wardrobe's, in the township of Douglas, and thereupon,

On

On motion, *resolved*, That the Petition be dismissed.

Mr. Robie reported from the Committee appointed to wait on the Honorable Vice-Admiral *Berkeley* with the Address of this House of the 16th instant, that the Committee had waited on and delivered the said Address to him accordingly; to which Address he had been pleased to give the following written Answer:

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES OF THE PROVINCE OF NOVA SCOTIA:  
GENTLEMEN;

**T**HE interests of this Province, are so closely connected with the prosperity and maritime strength of the Mother Country, that any Officer would be highly culpable if he did not feel it his peculiar duty to promote them by every means in his power. To this object, I trust, my anxious endeavours have been directed, and it is no trifling consolation to find, that in whatever light those measures which I have adopted to uphold the dignity of my Country, and the glory of its Flag, may be viewed at home, this honorable testimony of the approbation of so respectable a Body, as the House of Representatives, cannot fail to impress the public mind with their opinion of the rectitude of my intentions; and whatever may be my future destiny, they may be assured that in every situation, it will be my most anxious study to deserve the high honor they have conferred upon me, by devoting my utmost endeavours to promote the interests, happiness and welfare of Nova-Scotia.

As yet, I have no official intelligence of my removal from this command, but if those rumours be true, my regret will be lessened in the knowledge of that excellent Officer's character, who is reported as likely to be my successor, in the firm persuasion that he will adopt the same line of conduct which your partiality has approved of, and which I have ever endeavoured to pursue, for the benefit of this colony, and the protection of its maritime and commercial interests.

Impressed with these sentiments, it is with honest pride and the most heartfelt gratitude, that I accept this valuable memorial of the good opinion of the Legislature of this Province, and can only assure them, that much as I am flattered and honoured by the Gift, it cannot add to those feelings under which I shall ever consider myself bound, and with the highest esteem and respect subscribe myself,

Your very obliged and devoted humble servant,

G. C. BERKELEY.

*Dock-Yard, Halifax, N. S. Dec. 17.*

The Sheriff of the County of Sydney having attended at the Bar of the House agreeably to the order of this House of yesterday, thereupon,

On motion of Mr. Hutchinson, *ordered*, that the Sheriff of the County of Sydney, be directed to amend his return to the Writ for electing a Member to represent the said County in the room of the late Edward Irish, Esq. deceased, by inserting in said return the name of the Candidate who had the majority of Votes at the close of the Poll as the Person duly elected, and that the said Sheriff be also directed to annex to the said return his proceedings on the Scrutiny taken after the close of the Poll, pursuant to the directions of the Act of the General Assembly, entitled "An Act for the better regulation of Elections."

The Sheriff of the County of Sydney, according to order, amended the return for the County of Sydney, by inserting the name of Allen Chipman, as the Person duly elected, and also annexed to the return his proceedings on the Scrutiny, and thereupon,

Allen Chipman, Esq. returned duly elected for the County of Sydney, being introduced

duced by John George Pyke, Esq. Member for the Town of Halifax, and Jeremiah Northrup, Esq. Member for the Town of Falmouth, took the usual oaths, and his Seat.

Mr. Robie, pursuant to leave given, presented a Bill for the relief of Andrew Murdoch, an Insolvent Debtor, and the same was read a first time.

*Resolved*, That the Bill be read a second time.

On Motion, the House resolved itself into a Committee of the whole House on the further consideration of the Bill in further amendment of the Act for regulating the exportation of Fish, and the affize of Barrels, &c.

Mr. Speaker left the Chair.

Mr. Pyke took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the Bill to them referred, and that the Committee had directed him to move for leave to sit again on the further consideration of the same; which report the House agreed to.

Mr. Secretary Wentworth acquainted the House, that he had a Message from his Excellency the Lieutenant-Governor, to this House, signed by his Excellency, and he presented the said Message to the House.

And the said Message was read by Mr. Speaker, all the Members being uncovered, and is as follows :

*Gentlemen of the House of Assembly,*

Having directed a division line, which had some time been necessary to the Inhabitants, to be run between the Counties of Sydney and Halifax, which has accordingly been executed, and the plan hereof made, that I now lay before you, with an account of the expence attending the same.

I recommend to the House to provide for the payment of the said Account by a vote for that purpose.

J. WENTWORTH.

Mr. Secretary Wentworth also laid before the House, the plan and account referred to in the above Message from his Excellency, and thereupon,

*Ordered*, That the said Papers do lie on the Table, to be perused by the Members of the House.

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

Saturday, 19th December, 1807.

PRAYERS.

A Bill for the relief of Andrew Murdoch, an Insolvent Debtor, was read a second time.

*Resolved* That the Bill be committed to a Committee of the whole House.

On motion of Mr. Haliburton, *resolved*, That a Committee be appointed to apply to his Excellency the Lieutenant-Governor, for such documents and information as the Committee may think necessary to ascertain the state of the Militia of the Province, and the means of its defence, and to report thereon; and also to report if any, and what alterations are necessary, in the Militia Laws.

*Ordered*,

*Ordered*, That Mr. Pyke, Mr. Tonge, Mr. Purdy, Mr. Marshall, and Mr. Pearson be a Committee for the above purpose.

A Message from the Council by Mr. Gautier.

Mr. Speaker,

The Council request a conference, by Committee, on the subject matter of the Bill for establishing and defraying the expence of Schools throughout the Province.

And then the Messenger withdrew.

On motion, *resolved*, That this House doth agree to the conference as desired by the Council, and that the Clerk do acquaint the Council therewith.

*Ordered*, That Mr. Haliburton, Mr. Poole and Mr. Ritchie, do manage the said Conference,

And they went to the Conference,

And being returned,

Mr. Haliburton reported, that the managers had been at the Conference and stated the substance of the said Conference to the House.

Mr. Secretary Wentworth, by order of his Excellency the Lieutenant Governor, delivered to the House an Estimate of the expence for the support of the Civil Establishment of his Majesty's Government for one year, from the first day of January 1808.

*Ordered*, That the Estimate do lie on the Table, to be perused by the Members of the House.

Mr. Lawson, reported from the Joint Committee of his Majesty's Council and the House of Assembly, appointed to examine the Accounts of the Public Markets in Halifax, and of the Island of Sable; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

*Island of Sable.*

That the Commissioners Accounts to the 4th December last, have been received and are correct, there appears a Balance due them of

£.128 14 0

*Public Markets.*

The Accounts have been received to the 19th December, properly stated, and are correct, there appears a Balance in the hands of the Acting Commissioner amounting to

£.951 18 11

ANDREW BELCHER, }  
CHARLES HILL, } *Committee of the Council.*

WILLIAM LAWSON,  
EDWARD JAMES,  
GEORGE COLLINS,  
THOMAS PERSON, } *Committee of the House of Assembly.*

*Ordered*, That the report do lie on the Table, to be perused by the Members of the House.

Then the House adjourned until Monday at Eleven of the Clock.

Monday, 17th December, 1807.

PRAYERS.

The proceedings of Saturday being read, thereupon

Mr. Collins moved, that the resolution for appointing a Committee on the subject of the Militia,



be expunged from the Journal, which being seconded and put, and the House dividing thereon, there appeared for the motion, Eight, against it Twelve.

So it passed in the negative.

Mr. Hutchinson reported from the Committee on the subject of the Revenue Laws, and accordingly presented a Bill, for granting to his Majesty's certain Duties on Wine, Rum, and other distilled Spirituous Liquors, &c. and the same was read a first time.

*Resolved*, That the Bill be read a second time.

On motion, *resolved*, that a further conference be desired with the Council by Committee, on the subject of the School Bill, and that the Clerk do request the same.

The Clerk reported that the Council had agreed to the Conference, as desired by this House, immediately, in the Committee Room of the Council.

*Ordered*, That Mr. Haliburton, Mr. Archibald, and Mr. Marshall, do manage the said conference,

And they went to the conference.

And being returned,

Mr. Haliburton reported, that the Managers had been at the conference, and stated the substance of the conference to the House.

A Message from the Council by Mr. Gauthier :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for establishing and defraying the expence of Schools throughout the Province, with several amendments, to which they desire the concurrence of this House.

And then the Messenger withdrew.

On motion of Mr. Hutchinson, *resolved*, That a Committee be appointed to wait on his Excellency the Lieutenant-Governor, to request that his Excellency would be pleased to cause the House to be furnished with a copy of his Majesty's instructions, or of such part thereof, as may affect this House, either in framing Bills, or in any other of its proceedings in General Assembly.

*Ordered*, That Mr. Hutchinson, Mr. Archibald, and Mr. Marshall, be a Committee for the above purpose.

The House proceeded to take the Amendments made by the Council to the School Bill into consideration ; and the said Amendments were read throughout a first and second time : and upon the Question severally put thereupon, agreed to by the House.

On Motion, the House resolved itself into a Committee of the whole House, on the consideration of the Bill for the relief of Andrew Murdoch, an Insolvent Debtor.

Mr. Speaker left the Chair.

Mr. Pyke took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the Bill to them referred, and that the Committee had directed him to report the said Bill without any amendment, and he afterwards delivered the Bill in at the Clerk's Table.

*Ordered*, That the Bill be engrossed.

Mr. Archibald moved, that the following amendment made by the Council to the School Bill, viz. " by and with the advice of his Majesty's Council" be re-considered by the House, which being seconded and put, and the House dividing thereon, there appeared for the motion twelve, against it ten. So it passed in the affirmative.

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

Tuesday, 22d December, 1807.

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PRAYERS.

A Bill for granting to his Majesty certain Duties on Wine, Rum, and other distilled Spirituous Liquors, &c. was read a second time.

*Resolved*, That the Bill be committed to a Committee of the whole House.

Mr. Hutchinson reported further from the Committee on the subject of the Revenue Laws, and accordingly presented a Bill for repealing so much of an Act for the further increase of the Revenue by raising a Duty of Excise on all Goods, Wares and Merchandize, imported into this Province, as exempts, from such Duty, certain articles therein enumerated : and the same was read a first time.

*Resolved*, That the Bill be read a second time.

On Motion, the House resolved itself into a Committee of the whole House on the consideration of the Bill for granting to his Majesty certain Duties on Wine, Rum, and other distilled Spirituous Liquors, &c.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to them referred, and had made several amendments thereunto, which they had directed him to report to the House, and he afterwards delivered the Bill, with the amendments, in at the Clerk's Table.

The said Amendments were read throughout a first and second time, and upon the Question severally put thereupon, agreed to by the House.

On motion, *resolved*, That this House will, on Saturday the second day of January next, take into consideration the several private Petitions before the House.

Mr. Speaker informed the House, that Mr. Allen, Member for Newport, was unable, from indisposition, to give his attendance in the House, and requested leave to return to his home ; and thereupon,

*Ordered*, That Mr. Allen have leave accordingly.

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

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Wednesday, 23d December, 1807.

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PRAYERS.

On motion, *ordered*, that Mr. Mortimer, Mr. Pearson and Mr. Dimock be added to the Committee on the subject of the Fisheries and Agriculture of the Province.

A Bill for repealing so much of an Act for the further increase of the Revenue by raising a Duty of Excise on all Goods, Wares and Merchandize, imported into this Province, as exempts from Duty certain articles therein mentioned, was read a second time.

*Resolved*, That the Bill be committed to a Committee of the whole House: and thereupon,

On Motion, the House resolved itself into a Committee of the whole House, on the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had made some progress in the Bill to them referred; and that he was directed by the Committee to move for leave to sit again on the further consideration of the same, which report the House agreed to.

Mr. Hutchinson reported from the Committee appointed to wait on his Excellency the Lieutenant Governor on the subject of his Majesty's Instructions, that the Committee had waited on his Excellency accordingly, and that his Excellency had been pleased to give a written answer to the Committee, as follows :

*Mr. Speaker, and Gentlemen of the Assembly,*

AGREEABLY to your request, I have directed that such of the Instructions as respect the passing of Bills, and your duty as a branch of the Legislature, should be communicated to you for your information, as also that paragraph in his Majesty's Commission to his Governor-General, which requires the Members returned to the Assembly, before their sitting, to take and subscribe the Oaths and Declaration by Law required, before the Commissioner or Commissioners authorized under the Seal of the Province to tender and administer the same, without which, no person returned, can be capable of sitting; and I now require, that such Members as have not yet been sworn before the Honorable Andrew Belcher, who has been by me commissioned for that purpose, do forthwith appear before the said Commissioner, and take and subscribe the Oaths and Declaration by Law required.

J. WENTWORTH.

The Clerk acquainted the House, that he had received from the Secretary of the Province, by order of his Excellency the Lieutenant-Governor, the papers referred to in his Excellency's Answer to the Committee before mentioned, and accordingly delivered the same to the House; and thereupon

*Ordered,* That the said Papers do lie on the Table, to be perused by the Members of the House.

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

Thursday, 24th December, 1807.

PRAYERS.

Mr. James, pursuant to leave given, presented a Bill to authorize the Trustees for the Common of the Township of Lunenburg, to lease certain parts thereof; and the same was read a first time.

*Resolved,* That the Bill be read a second time.

On motion, the House resolved itself into a Committee of the whole House, on the further consideration of the Bill for repealing so much of an Act for the further increase of the Revenue, by raising a duty of Excise on all Goods, Wares and Merchandize imported into this Province as exempts, from duty, certain articles therein enumerated.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the Bill

to

to them referred, and had made several amendments thereunto, which they had directed him to report to the House, and he afterwards delivered the Bill, with the Amendments, in at the Clerk's table.

The said Amendments were read throughout a first and second time: and, upon the Question severally put thereupon, agreed to by the House.

*Ordered*, That the Bill, with the amendments, be engrossed.

Mr. Poole, pursuant to leave given, presented a petition of Ebenezer Crosby, of Yarmouth, and the same was read, praying the payment of £.26 7 6 for the board and maintenance of two transient Paupers.

*Ordered*, That the petition do lie on the Table.

On motion, the House resolved itself into a Committee of the whole House on the further consideration of the Bill in further amendment of the Act for regulating the exportation of Fish, and the affize of Barrels, &c.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the Bill to them referred, and that the Committee had directed him to move for leave to sit again on the consideration of the same; which report the House agreed to.

On motion of Mr. Mortimer, *resolved*, That a Committee be appointed to report what sums it will, in their opinion, be expedient to appropriate for the general service of the Province for the ensuing year.

*Ordered*, That Mr. Mortimer, Mr. Robie, Mr. Ritchie, Mr. Archibald, and Mr. Pearson be a Committee for the above purpose.

On motion of Mr. Pyke, *resolved*, that this House will, on Saturday next, the 26th instant, take into consideration that part of his Excellency the Lieutenant-Governor's Speech, which recommends the grant of a sum of money to enable his Excellency to provide the Militia on duty with warm clothing.

On motion, *resolved*, that a further conference be desired with the Council on the subject of the School Bill, and that the Clerk do request the same.

The Clerk reported that the Council had agreed to the Conference, as desired by this House, immediately, in the Committee-Room of the Council, and thereupon,

*Ordered*, That the Managers who managed the last conference, do manage this conference; and the names of the Managers were called over,

And they went to the conference.

And being returned,

Mr. Haliburton reported, that the Managers had been at the conference, and stated the substance of the conference to the House: and thereupon,

On motion, *resolved*, That this House do not agree to the amendment made by the Council to the School Bill, as follows, viz. "by and with the advice of his Majesty's Council," and that the Clerk do acquaint the Council therewith.

A Message from the Council by Mr. Gautier:

Mr. Speaker,

I am directed by his Majesty's Council to inform this House that his Majesty's Council adhere to the amendments made by them to the School Bill.

And then the Messenger withdrew.

On motion of Mr. Lawfon, *resolved*, That a Committee be appointed to wait on his Excellency the Lieutenant-Governor, to request he would be pleased to direct the accounts of the Licence Fund for the Town and Peninsula of Halifax, to be laid before this House by the Treasurer of the Province.

*Ordered*, That Mr. Lawfon, Mr. Archibald and Mr. Haliburton, be a Committee for the above purpose.

Mr. Mortimer reported from the Committee appointed to join a Committee of His Majesty's Council on the subject of the Fisheries and Agriculture of this Province, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

That the Committee, in conformity to the instructions of the House, held a meeting with a Committee of his Majesty's Council, and find from their own knowledge, and the best information they could collect, that the monies heretofore granted as a bounty in clearing of new Land by the acre, and for encouraging the importation of Salt into the Province, have been applied, and answered the most sanguine expectations of the Legislature : the former having acted as a stimulus to the indigent Farmer, and the latter as an inducement to the Merchant to keep a plentiful supply of that necessary article at market, and has greatly reduced the price thereof. The money granted last Session of Assembly as a bounty for raising Grain on new land, has not yet taken effect, and that, as an encouragement to the Fisheries, but in part. The Committee therefore recommend, that a sum not exceeding two thousand pounds, should be applied as a further encouragement for the improving new Lands, to be distributed as may hereafter be agreed on by the different branches of the Legislature. That the Act passed in the last Session of Assembly, granting a bounty on the importation of Salt, should be continued for another year, and the sum of two thousand pounds be granted for the encouragement of the Fisheries : but your Committee, and the Committee of His Majesty's Council, differed on the mode of applying this Sum.

*Ordered*, That the Report do lie on the Table, to be perused by the Members of the House.

Then the House adjourned until Saturday, at Eleven of the Clock, the morrow being Christmas Day.

Saturday, 26th December, 1807.

PRAYERS.

An engrossed Bill for the relief of Andrew Murdoch, an Insolvent Debtor, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act for the relief of Andrew Murdoch, an Insolvent Debtor.

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence to the same.

The Order of the Day being read,

On motion, the House resolved itself into a Committee of the whole House on the consideration of that part of His Excellency's Speech which relates to providing warm clothing for the Militia.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the business to them referred, and had come to a Resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

*Resolved*, That it is the opinion of this Committee, that it is necessary to furnish each non-commissioned Officer and private Man of the Militia now embodied, or that shall be embodied on or before the 1st day of February next, with a Great Coat.

The said Resolution was read throughout a first and second time: and, upon the Question put thereupon, agreed to by the House: and thereupon,

On motion of Mr. Mortimer, *resolved*, That a Committee be appointed to take into consideration the foregoing Resolution, and report to the House the best method of carrying the same into effect.

*Ordered*, That Mr. Morton, Mr. Lawson, and Mr. Pearson, be a Committee for the above purpose.

Then the House adjourned until Monday next, at Eleven of the Clock.

Monday, 28th December, 1807.

PRAYERS.

On motion of Mr. Archibald, *resolved*, that a conference be desired with the Council on the subject of Schools, and that the Clerk do request the same.

A Bill to authorise the Trustees for the Common of Lunenburg, to lease certain parts thereof, was read a second time.

*Resolved*, That the Bill be committed to a Committee of the whole House.

On motion, the House resolved itself into a Committee of the whole House on the further consideration of the Bill in further amendment of the Act for regulating the exportation of Fish, and the assize of Barrels, &c.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the Bill to them referred, and had made an amendment thereunto, which they had directed him to report to the House, and he afterwards delivered the Bill, with the Amendment, in at the Clerk's table.

The said Amendment was read throughout a first and second time, and, upon the Question put thereupon, agreed to by the House.

*Ordered*, That the Bill, with the amendment, be engrossed.

Mr. Hutchinson, pursuant to leave given, presented a Bill to prevent Officers employed to collect or take the charge and care of Public Monies, from holding or exercising Commissions for expending such Monies, and the same was read a first time.

*Resolved*, That the Bill be read a second time.

A Message from the Council by Mr. Gautier:

Mr. Speaker,

The Council agree to the conference on the subject of Schools, as desired by this House, immediately, in the Committee Room of the Council.

And then the Messenger withdrew.

*Ordered*, That Mr. Haliburton, Mr. Archibald and Mr. Ritchie do manage the said conference.

And the names of the Managers were called over; and they went to the conference,

And being returned,

Mr. Haliburton reported that the Managers had been at the conference, and stated the substance of the conference to the House.

On motion of Mr. Hutchinson, *resolved*, that the Bill for granting to his Majesty certain Duties on Wine, Rum, and other distilled Spirituous Liquors, &c. be now re-committed to a Committee of the whole House, and thereupon,

The House resolved itself into a Committee of the whole House, on the further consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Dimock took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to them referred, and had made several further amendments thereunto, which they had directed him to report to the House, and he afterwards delivered the Bill, with the amendments, in at the Clerk's Table.

The amendments to the Bill were read throughout a first and second time, and, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the Bill, with the amendments, be engrossed.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council request a further conference by Committee, on the subject matter of the last conference.

And then the Messenger withdrew.

On motion, *resolved*, That the House doth agree to a further conference as desired by the Council, and that the Clerk do acquaint the Council therewith.

*Ordered*, That the Managers who managed the last conference, do manage this conference; and the names of the Managers were called over;

And they went to the conference.

And being returned,

Mr. Haliburton reported, that the Managers had been at the conference, and stated the substance of the conference to the House.

An engrossed Bill for granting to his Majesty certain duties on Wine, Rum and other distilled Spirituous Liquors, &c. was read a third time,

*Resolved*, That the Bill do pass, and that the Title be, an Act for granting to his Majesty certain duties on Wine, Rum and other distilled Spirituous Liquors, Molasses, Coffee and Brown Sugar, for the Support of his Majesty Government, and for promoting the Agriculture, Commerce and Fisheries of this Province.

An engrossed Bill for repealing so much of an Act for the further increase of the Revenue by raising a Duty of Excise on all Goods, Wares and Merchandize, imported into this Province, as exempts, from such Duty, certain articles therein enumerated, was read a third time.

*Resolved*, That the Bill do pass, and that the Title be, An Act for repealing so much of an Act, made in the 32d Year of his Majesty's Reign, intituled, An Act for the further

further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise imported into this Province, as exempts, from such Duty, certain Articles therein enumerated, and for declaring what Goods and Merchandise shall hereafter be exempt from such Duty of Excise.

Mr. Pyke moved, that the foregoing Bills be sent to his Majesty's Council, which being seconded and put, and the House dividing thereon, there appeared for the motion Seventeen; against it, Seven: so it passed in the affirmative, and thereupon,

*Ordered*, That the Clerk do carry the said Bills to the Council, and desire their concurrence to the same.

Mr. Archibald reported from the Committee on the expiring Laws, and accordingly presented a Bill to continue an Act respecting Aliens coming into the Province.

A Bill for the Summary Trial of Actions.

A Bill to continue an Act to prohibit the exportation of Gunpowder, Arms and Ammunition, &c.

A Bill for making perpetual an Act in amendment of an Act to prevent Nuisances by Hedges, Weirs, &c. in the Rivers in this Province.

A Bill for making perpetual an Act to regulate the assize of Bread.

A Bill for making perpetual an Act to regulate the packing and inspecting of Salted Beef and Pork for exportation.

A Bill to render perpetual an Act to enable the Inhabitants of the several Towns in this Province to raise Monies for the sinking of Wells, &c.

A Bill to render perpetual an Act in addition to an Act for the raising Money by Presentment, for defraying certain County Charges; and the said Bills were severally read a first time.

*Resolved*, That the Bills be read a second time.

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

Tuesday, 29th December, 1807.

#### PRAYERS.

A Bill to prevent Officers employed to collect or take the charge and care of Public Monies, from holding or exercising Commissions for expending such Monies.

A Bill to continue an Act respecting Aliens coming into this Province.

A Bill for the Summary Trial of Actions.

A Bill to continue an Act to prohibit the exportation of Gunpowder, Arms and Ammunition, &c.

A Bill for making perpetual an Act in amendment of an Act to prevent Nuisances by Hedges, Weirs, &c. in the Rivers in this Province.

A Bill for making perpetual an Act to regulate the Assize of Bread.

A Bill for making perpetual an Act to regulate the packing and inspecting of Salted Beef and Pork, for exportation.

A Bill to render perpetual an Act to enable the Inhabitants of the several Towns in this Province, to raise Monies for the sinking of Wells, &c. and also,

A Bill to render perpetual an Act in addition to an Act for the raising Money by presentment for defraying certain County Charges, were severally read a second time.

*Resolved*, That the Bills be committed to a Committee of the whole House: and thereupon,



The House resolved itself into a Committee of the whole House on the consideration of the several Bills which stood committed.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the Bill to continue an Act respecting Aliens coming into the Province. The Bill to continue an Act to prohibit the exportation of Gunpowder, Arms and Ammunition, &c. The Bill for making perpetual an Act in amendment of an Act to prevent Nuisances by Hedges, Weirs, &c. in the Rivers in this Province. The Bill for making perpetual an Act to regulate the packing and inspecting of Salted Beef and Pork for exportation. The Bill for rendering perpetual an Act to enable the Inhabitants of the several Towns in this Province, to raise Monies for the sinking of Wells, &c. The Bill to render perpetual an Act in addition to an Act for the raising Money by presentment for defraying certain County Charges. The Bill for making perpetual an Act to regulate the Assize of Bread. And also the Bill to prevent Officers employed to collect or take the charge and care of Public Monies, from holding or exercising Commissions for expending such Monies; and that the Committee had directed him to report the said Bills severally, without amendment, and he afterwards delivered the Bills in at the Clerk's Table.

*Ordered*, That the Bills be engrossed.

Mr. Hutchinson, pursuant to leave given, presented a Bill for continuing the Halifax Grammar School Act.

A Bill for continuing an Act for laying an Impost Duty on articles imported from the United States of America. And also

A Bill for continuing an Act, passed in the 32d year of his Majesty's Reign, for the further increase of the Revenue, by raising a duty of Excise, &c. and the said Bills were severally read a first time.

*Resolved*, That the Bills be read a second time.

On motion, *resolved*, That this House will To-morrow take into consideration his Excellency the Lieutenant Governor's Message to this House of the 23d instant, respecting the swearing of such Members as have not taken the Oaths, pursuant to His Majesty's directions, contained in the Commission to his Governor-General.

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

Wednesday, 30th December, 1807.

PRAYERS.

The Order of the Day being read,

On motion, His Excellency's Message respecting the swearing of such Members, as have not taken the Oaths pursuant to His Majesty's directions contained in the Commission to his Governor-General, was read by the Clerk, and thereupon,

*Ordered*, That the Clerk do inform the Honorable Andrew Belcher, the Commissioner appointed by His Excellency to administer the said Oaths, that such of the Members of this House, as have not been sworn before him, are ready to attend for that purpose, in any one of the Committee-Rooms, to be named by said Commissioner, and that the Clerk of this House will attend with the Rolls.

A Bill for continuing the Halifax Grammar School Act.

A Bill for continuing an Act for laying an Impost Duty on articles imported from the United States of America. And also

A Bill for continuing an Act, passed in the 32d year of his Majesty's Reign, for the further increase of the Revenue, by raising a duty of Excise, &c. were severally read a second time.

*Resolved*, That the Bills be committed to a Committee of the whole House, and thereupon,

On motion, the House resolved itself into a Committee of the whole House on the consideration of the foregoing Bills.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the Bill for continuing an Act for laying an Impost Duty on articles imported from the United States of America; and, also, the Bill for continuing an Act, passed in the 32d year of his Majesty's reign, for the further increase of the Revenue, by raising a Duty of Excise, &c. and that the Committee had directed him to report the said Bills without any amendment. The Chairman also reported, that the Committee had deferred the consideration of the Bill for continuing the Halifax Grammar School Act to the next Session, and he afterwards delivered the Bills in at the Clerk's Table: and thereupon

Mr. Haliburton moved, that the House do not agree to the Report of the Committee, so far as relates to the Bill for continuing the Halifax Grammar School Act; which being seconded and put, and the House dividing thereon, there appeared for the motion, Nine, against it, Sixteen:

For the motion,

Against the motion,

Mr. POOL  
Mr. JAMES  
Mr. LENT  
Mr. TONGE  
Mr. WELLS  
Mr. MARSHALL  
Mr. HALIBURTON  
Mr. PYKE  
Mr. PURDY

Mr. BAKER  
Mr. COLLINS  
Mr. MARSTERS  
Mr. NORTHUP  
Mr. CHANDLER  
Mr. WARWICK  
Mr. PEARSON  
Mr. ARCHIBALD

Mr. MORTIMER  
Mr. RITCHIE  
Mr. CHIPMAN  
Mr. SHAW  
Mr. DIMOCK  
Mr. BOLMAN  
Mr. LAWSON  
Mr. MORTON.

So it passed in the negative.

The Report was then put to the House, and agreed to.

*Ordered*, That the Bills, as reported from the Committee, be engrossed.

Mr. Mortimer reported from the Committee on the subject of the sums to be appropriated for the general service of the Province for the ensuing year, and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

That the Committee are of opinion, that the general service of the Province, will require the undermentioned sums for the ensuing year, vizt.

H.

Civil

Civil List, agreeably to the Lieutenant-Governor's Estimate	£.4,828	17	9
Adjutants of Militia, Coroners, and Public Services	1,000	0	0
Roads and Bridges	5,000	0	0
Agriculture	2,000	0	0
Salt	1,000	0	0
Fisherics, including such balance as may remain unexpended of the last year's vote for this service,	2,000	0	0
Militia	1,500	0	0
To make the first Agricultural Vote equal to 15s. per Acre, a- greeable to a Resolution of the late House of Assembly	845	2	8 $\frac{1}{2}$
	<hr/>		
	£.18,174	0	5 $\frac{1}{2}$

*Ordered*, That the Report do lie on the Table, to be perused by the Members.

An engrossed Bill for continuing an Act for laying an Impost Duty on articles imported from the United States of America was read a third time,

*Resolved*, That the Bill do pass, and that the title be, An Act to continue an Act made and passed in the 29th year of his present Majesty's reign, entitled, An Act for the better support of the Poor in the respective Counties of this Province, by laying an Impost Duty on articles imported into this Province from the United States of America.

An engrossed Bill for continuing an Act passed in the 32d year of his Majesty's reign, for the further increase of the Revenue by raising a Duty of Excise, &c. was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue an Act, passed in the 32d year of his present Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandize imported into this Province.

*Ordered*, That the Clerk do carry the Bills to the Council, and desire their concurrence to the same.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for granting to his Majesty certain duties on Wine, Rum and other distilled Spirituous Liquors, Molasses, Coffee and Brown Sugar, for the Support of his Majesty's Government, and for promoting the Agriculture, Commerce and Fisherics of the Province, without any amendment. And then the Messenger withdrew.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council request a conference by Committee, on the subject of the Bill to continue an Act, passed in the 32d year of His Majesty's reign, entitled, An Act for the further increase of the Revenue, &c.

And then the Messenger withdrew.

*Resolved*, That the House doth agree to the conference as desired by His Majesty's Council, and that the Clerk do acquaint the Council therewith.

*Ordered*, That Mr. Hutchinson, Mr. Mortimer, and Mr. Ritchie do manage the said conference.

And

And they went to the conference accordingly.

And being returned,

Mr. Hutchinſon reported, that the Managers had been at the conference, and ſtated the ſubſtance of the conference to the Houſe.

A Meſſage from the Council by Mr. Gautier :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act to continue an Act, paſſed in the 32d year of His preſent Maſteſty's reign, entitled, An Act for the further increaſe of the Revenue, by raiſing a Duty of Excife on all Goods, Wares and Merchandife imported into this Province ; alſo,

A Bill, entitled, An Act to continue an Act, made and paſſed in the 29th year of His preſent Maſteſty's reign, entitled, An Act for the better ſupport of the Poor in the reſpective Counties of this Province, by laying an Impoſt Duty on articles imported into this Province from the U nited States of America ; and alſo,

A Bill, entitled, An Act for repealing ſo much of an Act, made in the 32d Year of his Maſteſty's Reign, entitled, An Act for the further increaſe of the Revenue, by raiſing a Duty of Excife on all Goods, Wares and Merchandife imported into this Province, as exempts, from ſuch Duty, certain Articles therein enumerated, and for declaring what Goods and Merchandife ſhall hereafter be exempt from ſuch Duty of Excife, ſeverally without any amendment.

And then the Meſſenger withdrew.

Mr. Haliburton, purſuant to leave given, preſented a Bill for encouraging the eſtabliſhment of Schools : and the ſame was read a firſt time.

*Reſolved*, That the Bill be read a ſecond time.

Mr. Ritchie moved that the Houſe do come to the following reſolution : Whereas, the feat of Thomas Walker, the Member returned by the Sheriff of the County of Annapolis to repreſent the Township of Annapolis, was vacated by a reſolution of this Houſe in its laſt Seſſion ; by which reſolution the Speaker of the Houſe was directed to take the uſual ſteps to procure a new Writ for the Election of a Member to repreſent the ſaid Township : and the Speaker having reported to this Houſe, in its laſt Seſſion, that he had applied to his Excellency the Lieutenant-Governor for that purpoſe, and had received in anſwer that his Excellency would take the ſame into conſideration : and it not appearing to this Houſe that any new Writ hath yet iſſued for the Election of a Member for the ſaid Township : *Reſolved*, therefore, that the Speaker do again apply to his Excellency the Lieutenant-Governor to direct a new Writ for the Election of a Member to repreſent the ſaid Township of Annapolis ; which being ſeconded and put paſſed in the affirmative.

Mr. Morton reported from the Committee on the ſubject of furniſhing the embodied Militia with Great Coats, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

That the Committee have received propoſals for furniſhing One Thouſand Great Coats, at thirty one ſhillings per Coat, which is the loweſt offer they have been able to obtain ; therefore recommend that the ſum of One Thouſand Five Hundred and Fifty Pounds be granted for that purpoſe.

*Ordered*, That the Report do lie on the Table, to be peruſed by the Members.

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

Thursday, 31<sup>st</sup> December, 1807.

PRAYERS.

A Bill for encouraging the establishment of Schools was read a second time.

*Resolved*, That the Bill be committed to a Committee of the whole House.

A Message from his Excellency the Lieutenant-Governor, by Mr. Secretary Wentworth, as follows:

Mr. Speaker,

His Excellency commands this House to attend his Excellency immediately in the Council Chamber.

Accordingly Mr. Speaker, with the House, went up to attend his Excellency in the Council Chamber,

And being returned,

Mr. Speaker reported that the House had attended his Excellency in the Council Chamber, where his Excellency was pleased to give his assent to the several Bills following, viz.

An Act for granting to his Majesty certain duties on Wine, Rum and other distilled Spirituous Liquors, Molasses, Coffee and brown Sugar, for the support of his Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries of this Province.

An Act to amend an Act, made and passed in the 34<sup>th</sup> year of his late Majesty's reign, entitled, An Act for the ascertaining Damages on Protested Bills of Exchange.

An Act for repealing so much of an Act, made in the 32<sup>d</sup> year of his Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandize imported into this Province, as exempts from such duty certain articles therein enumerated; and for declaring what Goods and Merchandize shall hereafter be exempt from such duty of Excise.

An Act to continue an Act, made and passed in the 29<sup>th</sup> year of his present Majesty's reign, entitled, An Act for the better support of the Poor in the respective Counties of this Province, by laying a duty on articles imported into this Province from the United States of America.

An Act to continue an Act passed in the 32<sup>d</sup> year of his present Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandize, imported into this Province.

On motion the House resolved itself into a Committee of the whole House on the consideration of the several Bills which stood committed.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had deferred the consideration of the Bill to authorise the Trustees for the Common of Lunenburg to lease certain parts thereof, to this day three months; That the Committee had directed him to report the Bill for establishing Schools without any amendment. That the Committee had gone through the Bill for the Summary Trial of Actions, and had made several amendments thereunto, which they had directed him to report to the House, and he afterwards delivered the said Bills, and the amendments to the Bill last mentioned, in at the Clerk's Table: and thereupon

Mr.

Mr. James moved, that the Report of the Committee, so far as relates to the Lundenburg Common Bill be not received; which being seconded and put, and the House dividing thereon, there appeared for the motion, three, against it, eighteen :

For the motion,		Against the motion,	
Mr. JAMES	Mr. POOL	Mr. HALIBURTON	Mr. TONGE
Mr. MARSHALL	Mr. WARWICK	Mr. DIMOCK	Mr. PURDY
Mr. COLLINS	Mr. HUTCHINSON	Mr. PYKE	Mr. BOLMAN
	Mr. BAKER	Mr. PEARSON	Mr. ROBIE
	Mr. MORTIMER	Mr. SHAW	Mr. CHIPMAN
	Mr. RITCHIE	Mr. ARCHIBALD	Mr. LAWSON

So it passed in the negative.

The Report of the Committee was then put, and agreed to by the House:

*Ordered*, That the Bill for establishing Schools be engrossed.

Mr. Mortimer moved that the Bill for the Summary Trial of Actions, be re-committed to a Committee of the whole House; which, being seconded and put, passed in the affirmative.

Mr. Mortimer presented a petition of John Legett, Esq. and the same was read, complaining of an undue Election for the County of Sydney, in the electing of a Member to represent the said County, in the room of Edward Irish, Esq. deceased.

*Ordered*, That the Petition do lie on the Table.

On motion of Mr. Archibald, *resolved*, that this House will, To-morrow, take into consideration the said Petition.

*Ordered*, That the Sheriff of the County of Sydney, be directed to attend at the Bar of this House To-morrow at Eleven o'Clock.

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

Friday, 1st January, 1808.

PRAYERS.

An engrossed Bill for making perpetual an Act to regulate the affize of Bread, was read a third time,

*Resolved*, That the Bill do pass, and that the title be, An Act for making perpetual an Act, made in the 36th year of his present Majesty's reign, entitled, An Act to regulate the affize of Bread.

An engrossed Bill to render perpetual an Act in addition to an Act for the raising Money by presentment for defraying certain County Charges, was read a third time.

*Resolved*, That the Bill do pass, and that the Title be, An Act to render perpetual an Act in addition to an Act for the raising Money by presentment on the several Counties and Districts in this Province for the defraying certain County Charges therein mentioned.

An engrossed Bill to render perpetual an Act to enable the Inhabitants of the several Towns in this Province to raise Monies for the sinking of Wells, &c. was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to render perpetual an Act to enable the Inhabitants of the several Towns in this Province, to raise Monies for the sinking of Wells, supplying the same with Pumps, &c. and for keeping them in repair.

An engrossed Bill for making perpetual an Act to regulate the packing and inspecting of Salted Beef and Pork, for exportation, was read a third time.

*Resolved*, That the Bill do pass, and that the Title be, An Act to regulate the packing and inspecting of Salted Beef and Pork for exportation.

An engrossed Bill to continue an Act respecting Aliens coming into this Province, was read a third time,

*Resolved*, That the Bill do pass, and that the title be, An Act to continue an Act respecting Aliens coming into this Province, or residing therein.

An engrossed Bill to continue an Act to prohibit the exportation of Gun-powder, Arms and Ammunition, was read a third time.

*Resolved*, That the Bill do pass, and that the Title be, An Act to continue an Act to revive a Law for empowering the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to prohibit the exportation of Gunpowder, Arms and Ammunition, or Salt Petre, or carrying the same coastways.

An engrossed Bill for making perpetual an Act in amendment of an Act to prevent Nuisances by Hedges, Wears, &c. in the Rivers of the Province, was read a third time,

*Resolved*, That the Bill do pass, and that the title be, An Act for making perpetual an Act in addition to and amendment of an Act to prevent Nuisances by Hedges, Wears, and other Incumbrances, obstructing the passage of Fish in the Rivers in this Province.

An engrossed Bill to prevent Officers employed to collect or take the charge and care of Public Monies, from holding or exercising Commissions for expending such Monies, was read a third time,

*Resolved*, That the Bill do pass, and that the title be, An Act to prevent Officers employed to collect or take the charge and care of Public Monies, from holding or exercising Commissions for expending such Monies.

An engrossed Bill for encouraging the establishment of Schools; was read a third time,

*Resolved*, That the Bill do pass, and that the title be, An Act for encouraging the Establishment of Schools throughout the Province.

An engrossed Bill in further amendment of an Act made in the 2d year of his present Majesty's reign, entitled, An Act for regulating the exportation of Fish, and the affize of Barrels, &c. was read a third time,

*Resolved*, That the Bill do pass, and that the title be, An Act in further amendment of an Act made in the 2d year of his present Majesty's reign, entitled, An Act for regulating the exportation of Fish, and the affize of Barrels, Staves, Hoops, Boards, and all other kind of Lumber, and for appointing Officers to survey the same.

*Ordered*, That the Clerk do carry the Bills to the Council, and desire their concurrence to the same.

The order of the Day being read,

The House proceeded to take into consideration the Petition of John Legett, and the same having been read, thereupon,

Mr. James moved that a Committee be appointed to take into consideration the Return of the Sheriff of the County of Sydney to the Writ for the Electing a Member to represent the said County, together with the proceedings on the scrutiny thereunto annexed, and report thereon to the House: which, being seconded and put, passed in the negative.

On motion of Mr. Lawson, *resolved*, that the Sheriff of the County of Sydney having returned to this House only his judgment on the scrutiny held by him after the close of the Poll for Electing a Member to represent the said County, and having neglected to return his proceedings at such scrutiny, whereon the House might adjudge, the said Return is defective and irregular.

On motion of Mr. Lawson, *resolved*, that the said Sheriff be directed to return to the House his proceedings on said scrutiny.

The Sheriff of the County of Sydney, attending at the Bar of House pursuant to the order of yesterday, and being interrogated by Mr. Speaker, declared that he had no further proceedings of the said scrutiny to return to the House.

On motion, *resolved*, That this House will, to-morrow, go into the further consideration of the Petition of John Legett.

*Ordered*, That the Sheriff of the County of Sydney do attend at the Bar of this House To-morrow at Eleven of the Clock.

Then the House adjourned until To-morrow at Eleven of this Clock.

Saturday, 2d January, 1808.

PRAYERS.

Mr. Shaw, by leave of the House, withdrew his Petition.

The Orders of the Day being read,

Mr. Roach moved that the House do now proceed on the further consideration of the Petition of John Legett, which, being seconded and put, passed in the Negative: and thereupon,

On motion the House resolved itself into a Committee of the whole House on the consideration of private Petitions.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the business to them referred, and that the Committee had come to several Resolutions thereupon, which they had directed him to report to the House, and he afterwards delivered the report in at the Clerk's Table, where it was read, and is as follows:

The Petition of David Black, and others, was read, and thereupon

*Resolved*, That it is the opinion of this Committee, that the sum of Fifty Pounds should be granted for the relief of the Petitioners.

The Petition of Robert King was read, and thereupon

*Resolved*, That it is the opinion of this Committee, that the said Petition should be referred to a Committee of Supply.

The Petition of Jonathan Tremain and John Tremain was read, and thereupon

*Resolved*, That it is the opinion of this Committee, that the prayer of the said Petition should be granted, it appearing to the Committee that the duty paid by the Petitioners had been collected by mistake.

The Petition of Rufus G. Taylor, and the Petition of Ebenezer Crosby, were severally read, and thereupon.

*Resolved*,



*Resolved*, That it is the opinion of this Committee, that the said Petition should be referred to a Committee to be appointed by the House, who are to examine into the allegations of the same, and report thereon to the House.

The said Report and Resolutions were read throughout a first and second time: and, upon the Question severally put thereupon, agreed to by the House:

*Ordered*, That the Petition of Rufus G. Taylor, and the Petition of Ebenezer Crosby, be referred to Mr. Lawson, Mr. Roach, and Mr. Purdy, agreeably to the foregoing resolution of the Committee of the whole House.

*Ordered*, That the Petition of David Black and others, and also the Petition of Robert King be referred to the Committee of Supply, agreeably to the foregoing Resolution of the Committee of the whole House.

Mr. Mortimer, pursuant to leave given, presented a Petition of John Leggett, Esq. and the same was read, complaining further of an undue Election for the County of Sydney.

*Ordered*, That the Petition do lie on the Table.

On motion, the House proceeded to the further consideration of the Petition of John Legett, agreeably to the Resolution of yesterday: and thereupon

Mr. Haliburton moved, that a Committee be appointed to take into consideration the proceedings of the Sheriff at the late Election for Sydney, as also the proceedings at the Scrutiny, and to report the facts to this House; which being seconded and put, passed in the negative.

Mr. Tonge moved, that the Petition of John Legett, presented this day, be dismissed; which being seconded and put, and the House dividing thereon, there appeared for the motion, Thirteen—against it, Twelve: So it passed in the affirmative.

Mr. Tonge moved, that the Sheriff of the County of Sydney, be directed to hold a new Scrutiny on such votes as stand marked and objected to on the Poll Book of the late Election for that County, if required by either John Legett, Esq. the present Petitioner, or Allen Chipman, Esq. the sitting Member; which being seconded and put, and the House dividing thereon, there appeared for the motion, Seven; against it, Eighteen; so it passed in the negative.

Mr. Marshall, the Member for the County of Sydney, having in his place informed this House, that the Election lately held of a Member to represent that County in the room of the late Edward Irish, Esq. was so irregularly conducted by the Sheriff, that he conceives the County is not fairly represented by the sitting Member; that many objections were made at Guyborough to the qualifications of voters, yet the Sheriff did not administer the Oath to any of the persons so objected to, although the objections were noted on the Poll Book; that the Poll was removed to Country Harbour, and that he has heard, and believes, the Law was not read there, at the opening of the Poll, nor was the Oath administered to any of the Electors, although objections were made to the qualifications of some of them, and noted in the Poll Book; that the Poll was then adjourned to Antigonishe, when he was present, and knows that neither the Law was read, nor the Oath administered, and that the Sheriff had not any copy whatsoever of the Law with him, from which he could have read the same, and that therefore he considers the proceedings to have been as irregular at the Election as the House has decided them to have been on the Scrutiny.

*Resolved*, therefore, That this House will enquire into the proceedings at the said Election: and thereupon

Mr. Mortimer moved, that a Committee be appointed to examine into the proceedings of the Election for the County of Sydney, and that the said Committee have power to send for persons, papers and records; which, being seconded and put, and the House dividing thereon, there appeared for the motion, eleven, against it, eleven :

Mr. Speaker gave his casting vote for the Motion.

So it passed in the affirmative, and thereupon,

*Ordered*, That Mr. James, Mr. Haliburton, Mr. Roach, Mr. Mortimer, Mr. Baker, Mr. Ritchie, and Mr. Collins be a Committee for the above purpose.

Then the House adjourned until Monday at Eleven of the Clock.

Monday, 4th January, 1808.

PRAYERS.

Mr. Ritchie, pursuant to leave given, presented a Bill to impose an additional Duty on Wine imported into this Province, to provide for the better support of the Poor for the Town of Halifax, &c. and the same was read a first time.

*Resolved*, That the Bill be read a second time.

Mr. James reported from the Committee appointed to examine into the proceedings at the late Election for the County of Sydney, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

That it appeared to the Committee, upon the examination of persons present at the Election, both at Country Harbour and Antigonishe in the said County of Sydney, and also by the confession of the sitting Member for said County, that the Sheriff did not, at any day, during the Election at those places, conform to the Law of this Province made for regulating Elections, by reading the same at the opening of the Poll each day as required therein; that he did not tender the Oath to the Electors who were objected to, and that he had not the Law with him at those places so as to administer the Oath prescribed; that it appeared also to the Committee, as well by the inspection of the Writ and Return, as by the evidence of persons present at the Election at Country Harbor and Antigonishe, that the Election was held at those places after the day on which the Writ was returnable—which Writ was returnable the second day of November; the Poll was opened at Country Harbor on the tenth day, and closed at Antigonishe on the twenty-fourth day of the said month.

The said Report was read throughout a first and second time, and, upon the Question put thereupon, agreed to by the House, and thereupon,

On motion of Mr. James, *resolved*, that the late Election for the County of Sydney, for the causes stated in the foregoing Report, is void; and that the Speaker do take the usual steps to procure a new Writ for the election of a Member to represent the said County.

On motion, *ordered*, that the Report of the Committee on the subject of appropriating Monies for the general service of the Province; the Report of the Committee on the subject of purchasing Great Coats for the embodied Militia; and also the estimate for the support of the Civil Establishment, for the Government, for the year 1808, be severally referred to a Committee of Supply, and thereupon,

On motion, the House resolved itself into a Committee of the whole House, to consider of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair, to receive a Message from the Council, by Mr. Gautier, as follows :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for making perpetual an Act, made in the 36th year of his present Majesty's reign, entitled, An Act to regulate the allize of Bread ; also,

A Bill, entitled, An Act, to continue an Act respecting Aliens coming into this Province, or residing therein ; also

A Bill, entitled, An Act for making perpetual an Act to regulate the packing and inspecting of Salted Beef and Pork for exportation ; also,

A Bill, entitled, An Act to render perpetual an Act to enable the Inhabitants of the several Towns in this Province, to raise Monies for the sinking of Wells, supplying the same with Pumps, &c. and for keeping them in repair ; also,

A Bill, entitled, An Act for making perpetual an Act in addition to and amendment of an Act to prevent Nuisances by Hedges, Wears, and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province ; and also ;

A Bill, entitled, An Act to continue an Act to revive a Law for empowering the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to prohibit the exportation of Gunpowder, Arms and Ammunition, or Salt Petre, or carrying the same coastways, severally, without any amendment.

The Council request a conference by Committee on the subject of the Bill, entitled, An Act for encouraging the establishment of Schools throughout the Province.

And then the Messenger withdrew,

*Resolved*, That the House doth agree to the conference as desired by the Council, and that the Clerk do acquaint the Council therewith.

*Ordered*, That Mr. Haliburton, Mr. Ritchie, and Mr. Morton, do manage the said conference.

And they went to the Conference,

And being returned,

Mr. Haliburton reported that the Managers had been at the conference, and stated the substance of the conference to the House.

Mr. Mortimer, pursuant to leave given, presented a Bill for altering the time of holding the Supreme Court, in the districts of Pictou and Colchester ; and the same was read a first time.

*Resolved*, That the Bill be read a second time.

On motion, the House resolved itself into a Committee of the whole House to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made some progress in the business to them referred, and that the Committee had come to several

ral Resolutions thereupon, which they had directed him to report to the House, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

*Resolved*, That it is the opinion of this Committee, that a sum not exceeding Seven Thousand Two Hundred and Fifty Pounds, be granted to defray the expense of the Civil Establishment, and miscellaneous Services, for the ensuing year.

*Resolved*, That it is the opinion of this Committee, that the sum of Five Thousand Pounds should be granted for the service of Roads and Bridges for the ensuing year, in addition to the sums already appropriated and not yet drawn from the Treasury.

*Resolved*, That it is the opinion of this Committee, that a sum not exceeding Two Thousand Pounds should be granted for the further encouragement of the Agriculture of the Province, in addition to the sum already appropriated and not yet drawn from the Treasury.

*Resolved*, That it is the opinion of this Committee, that a sum not exceeding One Thousand Pounds, should be granted for a further Bounty on Salt.

*Resolved*, That it is the opinion of this Committee, that the sum of Two Thousand Pounds should be granted for the encouragement of the Fisheries of the Province, in addition to any balance, which may remain in the Treasury, of the grant of the last year.

*Resolved*, That it is the opinion of this Committee, that a sum not exceeding One Thousand Six Hundred Pounds, should be granted for purchasing Great Coats, for the two Battalions of Militia now embodied.

*Resolved*, That it is the opinion of this Committee, that a sum of Eight Hundred and Forty Five Pounds, Two Shillings and Eight Pence, Half-Penny, should be granted to make the first Agricultural Vote equal to Fifteen Shillings per Acre, agreeably to the Resolution of the late House of Assembly.

The Chairman also acquainted the House, that he was directed by the Committee, to move for leave to sit again on the consideration of a Supply.

The said Report and Resolutions were read throughout a first and second time : and, upon the Question severally put thereupon, agreed to by the House.

*Ordered*, That the Clerk do carry the foregoing Resolutions to the Council, and desire their concurrence to the same.

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

Tuesday, 5th January, 1808.

PRAYERS.

*Ordered*, That Mr. Pyke be added to the Committee for waiting on his Excellency the Lieutenant Governor, on the subject of the Licence Duty Accounts.

On motion of Mr. Morton, *ordered*, that the Resolution for granting £.1600, for furnishing Great Coats for the Militia, be sent separately to his Majesty's Council for concurrence.

A Bill for altering the Times of holding the Supreme Court in the District of Colchester, and also

A Bill to impose an additional Duty on Wine imported into this Province, for the support of the Poor of the Town of Halifax, &c. were severally read a second time.

*Resolved*, That the Bills be committed to a Committee of the whole House.

On motion, *resolved*, That a Conference be desired with the Council, by Committee, on the subject of cloathing the Militia ; and that the Clerk do desire the same.

Mr. Lawson reported from the Committee appointed to wait on his Excellency the Lieutenant Governor, on the Subject of the Licence Duty Accounts for Halifax ; that the Committee had waited on his Excellency accordingly, and that his Excellency was pleased to say, that he would give directions for the said Accounts to be prepared, and laid before this House as soon as possible.

On motion, the House resolved itself into a Committee of the whole House on the consideration of the Bill for altering the time of holding the Supreme Court for the districts of Pictou and Colchester.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had directed him to report the said Bill without any amendment, and he afterwards delivered the Bill in at the Clerk's Table.

*Ordered*, That the Bill be engrossed.

A Message from the Council by Mr. Gautier :

Mr. Speaker,

The Council agree to the conference as desired by this House, immediately, in the Committee Room of the Council.

And then the Messenger withdrew.

*Ordered*, That Mr. Morton, Mr. Hutchinson, and Mr. Haliburton, do manage that conference ; and they went to the conference accordingly,

And being returned,

Mr. Morton reported that the Managers had been at the conference, and stated the substance of the conference to the House.

On motion, the House resolved itself into a Committee of the whole House to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair, to receive a Message from the Council, by Mr. Gautier, as follows :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for encouraging the establishment of Schools throughout the Province ; and also,

A Bill, entitled, An Act to render perpetual an Act in addition to an Act for the raising Money by presentment on the several Counties and Districts in this Province for the defraying certain County Charges therein mentioned, severally, without any amendment.

The Council have agreed to the Resolution of this House for granting the sum of

of One Thousand Six Hundred Pounds, for purchasing Great Coats for the embodied Militia.

And then the Messenger withdrew.

On motion, the House resolved itself into a Committee of the whole House to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that he was directed by the Committee to move for leave to sit again on the consideration of a Supply; which report the House agreed to.

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

Wednesday, 6th January, 1808.

PRAYERS.

An engrossed Bill for altering the time of holding the Supreme Court, in the districts of Picou and Colchester; was read a third time.

*Resolved*, That the Bill do pass, and that the Title be, An Act for altering the time of holding the Supreme Court in the districts of Picou and Colchester.

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence to the same.

Mr. Mortimer, pursuant to leave given, presented a Bill for the equal distribution of the Estates and Effects of Insolvent Debtors, to and amongst their Creditors; and the same was read a first time; and thereupon

Mr. Robie moved, that the second reading of the said Bill be deferred to this day three months; which, being seconded and put, and the House dividing thereon, there appeared for the motion, sixteen; against it, seven.

For the motion,

- Mr. PYKE
- Mr. CRANE
- Mr. BAKER
- Mr. MARSTERS
- Mr. DEWOLF
- Mr. HALIBURTON
- Mr. LENT
- Mr. RITCHIE
- Mr. DIMOCK
- Mr. ROBIE
- Mr. BOLMAN
- Mr. PURDY
- Mr. CHANDLER
- Mr. TONGE
- Mr. LAWSON
- Mr. SHAW

Against the motion,

- Mr. MORTIMER
- Mr. ROACH
- Mr. JAMES
- Mr. NORTHUP
- Mr. MORTON
- Mr. HUTCHINSON
- Mr. POOL

So it passed in the affirmative.

On motion, the House resolved itself into a Committee of the whole House on the consideration of the Bills which stood committed.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker returned the Chair.

The Chairman reported from the Committee that they had made some progress in

business to them referred, and that the Committee had directed him to move for leave to sit again on the consideration of the same, which report the House agreed to.

A Message from the Council by Mr. Gautier :

Mr. Speaker,

The Council have not agreed to the Bill, entitled, An Act to prevent Officers employed to collect or take the charge and care of Public Monies, from holding or exercising Commissions for expending such Monies.

The Council have agreed to the Bill, entitled, An Act for altering the time of holding the Supreme Court in the Districts of Pictou and Colechester, with an amendment, to which they desire the concurrence of this House.

And then the Messenger withdrew,

The House proceeded to the consideration of the amendment made by the Council to the above Bill, and thereupon,

*Resolved*, That a conference be desired with the Council, on the subject matter of the said amendment, and that the Clerk do request the same.

The Clerk reported, that the Council agreed to the conference as desired by this House, immediately, in the Committee Room of the Council.

*Ordered*, That Mr. Mortimer, Mr. Haliburton, and Mr. Roach, do manage the said conference.

And they went to the conference, accordingly,

And being returned,

Mr. Mortimer reported that the Managers had been at the conference, and stated the substance of the conference to the House.

On motion of Mr. Dimock, *ordered*, that all the Members do attend in the House, tomorrow at the hour of adjournment from this day.

A written Message from His Majesty's Council, by Mr. Gautier, as follows :

Mr. Speaker,

His Majesty's Council agree to the vote sent up for granting the sum of Seven Thousand Two Hundred and Fifty Pounds, to defray the expense of the Civil Establishment, and miscellaneous Services, for the ensuing year.

The Council also agree to the vote sent up for granting the sum of Five Thousand Pounds for the service of Roads and Bridges for the ensuing year, in addition to the sums already appropriated and not yet drawn from the Treasury.

The Council also agree to the vote sent up for granting a sum not exceeding One Thousand Pounds, for a further Bounty on Salt.

And then the Messenger withdrew.

On motion, the House resolved itself into a Committee of the whole House, to consider the best and most expeditious mode for providing Great Coats for the embodied Militia.

Mr. Speaker left the Chair.

Mr. Roach took the Chair.

Mr. Speaker resumed the Chair,

The Chairman reported from the Committee that they had gone through the business to them referred, and that the Committee had come to a Resolution thereupon, which they had directed him to report to the House, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

*Resolved*,

*Resolved*, That it is the opinion of this Committee, that it is expedient that a Committee should be appointed by the House, to join a Committee of his Majesty's Council to direct and superintend the expenditure of the sum of £.1600, for the purpose of purchasing Great Coats for the embodied Militia:

The said Resolution was read throughout a first and second time: and, upon the Question put thereupon, agreed to by the House, and thereupon

*Ordered*, That Mr. Mortimer, Mr. Lawson, and Mr. Morton, be a Committee accordingly.

*Ordered*, That the Clerk do carry the foregoing Resolution to the Council and desire their concurrence to the same.

Mr. Lawson reported from the Committee to whom the petition of Ebenezer Crosby and the Petition of Rufus G. Taylor, were referred; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

That the Committee have enquired into the facts stated in the Petition of Ebenezer Crosby, and have been furnished with the affidavits of Edward Baker and Samuel Baker, and also examined personally S. S. Pool, Esq. the Member for Yarmouth, touching the same, and are of opinion, and recommend, that the Petitioner should be allowed the sum of £.26-7-6, for his care and support of two transient paupers as stated in his Petition.

That the Committee have also enquired into the facts stated in the Petition of Rufus G. Taylor, and have been furnished with the deposition of Samuel Harris, late Master of the Schooner Trimmer, from which and other evidence furnished to the Committee, they find that 2907 Gallons of Wine were exported in said Schooner from Halifax to Jamaica, under the superintendance of the proper Officer of Excise, who made the return thereof to the Excise Officer; that the Shipment was made on Saturday, and the Vessel failed on the day following in consequence of which the regular Vouchers were not obtained by the Petitioner, as required by Law: But the Committee being satisfied that the Wine was actually landed in the Island of St. Domingo, recommend that the sum of £.115 1 4½, the amount of the Drawback on the said Wine, be granted to the Petitioner.

*Ordered*, That the report be referred to the Committee of Supply.

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

Thursday, 7th January, 1808.

PRAYERS.

On motion, the House resolved itself into a Committee of the whole House to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that he was directed by the Committee, to move for leave to sit again, on the consideration of the same, which report the House agreed to.



On motion of Mr. Tongs, *resolved*, that this House will, to-morrow, take into consideration, His Excellency the Lieutenant Governor's Message to this House, of the 12th of January, 1807, on the subject of an augmentation to the Salary of the Treasurer of the Province.

On motion *resolved*, that a select Committee be appointed to take into consideration the situation of the several Counties and Districts throughout the Province, with respect to Roads and Bridges; and that they do make a distribution of the Monies appropriated for that Service the present year, and report thereon to the House.

*Ordered*, That Mr. Mortimer, Mr. Robie, Mr. Chandler, Mr. Dimock, Mr. Ritchie, Mr. Morton, Mr. Marshall, Mr. Roach, Mr. Lent, Mr. Collins, and Mr. Bolman, be a Committee for the above purpose.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for altering the time of holding the Supreme Court in the districts of Pictou and Colchester without any amendment.

The Council have agreed to the Bill, entitled, An Act in further amendment of an Act made in the 2d year of his present Majesty's reign, entitled, An Act for regulating the exportation of Fish, and the affize of Barrels, Staves, &c. with an amendment, to which they desire the concurrence of this House.

And then the Messenger withdrew.

The House proceeded to the consideration of the amendment made by the Council, to the foregoing Bill, and thereupon,

*Resolved*, That a conference be desired with the Council, on the subject matter of the said amendment, and that the Clerk do request the same.

On motion, the House resolved itself into a Committee of the whole House, on the further consideration of the Bill to impose an additional Duty on Wine imported into this Province, to provide for the better support of the Poor for the Town of Halifax, &c.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to them referred, and had made several amendments thereunto, which they had directed him to report to the House; and he afterwards delivered the Bill, with the amendments, in at the Clerk's Table.

The said amendments were read throughout a first and second time, and thereupon,

Mr. Mortimer moved, that the first amendment which enacts "That a sum not exceeding £150 per Annum, should be drawn for out of the Treasury by the Governor, Lieutenant Governor or Commander in Chief for the time being, upon the application of the Trustees of the Halifax Grammar School and applied in and towards the maintenance thereof" be not agreed to by the House; which being seconded and put, and the House dividing thereon, there appeared for the motion, Fourteen—against it, Thirteen.

## For the Motion,

Mr. JAMES  
Mr. MARSTERS  
Mr. WARWICK  
Mr. NORTHUP  
Mr. BAKER  
Mr. SHAW  
Mr. LAWSON

Mr. RITCHIE  
Mr. MORTIMER  
Mr. DIMOCK  
Mr. CHANDLER  
Mr. COLLINS  
Mr. MORTON  
Mr. BOLMAN

## Against the Motion,

Mr. ROACH  
Mr. DEWOLF  
Mr. POOL  
Mr. MARSHALL  
Mr. PYKE  
Mr. HUTCHINSON  
Mr. HALIBURTON

Mr. LENT  
Mr. ROBIE  
Mr. PURDY  
Mr. CRANE  
Mr. TONGE  
Mr. WELLS

So it passed in the affirmative.

The several other amendments, as reported by the Committee, were then severally put to the House, and upon the question thereupon, agreed to.

On motion, *resolved*, that a Committee be appointed to prepare and bring in a Bill for appropriating the sum of £.1,000 in a Bounty on Salt, agreeable to the Grant of this Session.

*Ordered*, That Mr. Mortimer, Mr. Tonge, and Mr. Lawson, be a Committee for the above purpose.

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

Friday, 8th January, 1808.

## PRAYERS.

The order of the Day being read.

On motion, the Message of his Excellency the Lieutenant Governor of the 12th of January, 1807, was read by the Clerk, and the House having considered the same, thereupon,

Mr. Tonge moved that it is inexpedient at this time to augment the Salary of the Treasurer of the Province; which, being seconded and put, and the House dividing thereon, there appeared for the motion, nineteen; against it, seven.

## For the motion,

Mr. COLLINS  
Mr. MARSHALL  
Mr. BAKER  
Mr. ROBIE  
Mr. HUTCHINSON  
Mr. DIMOCK  
Mr. DEWOLF  
Mr. MORTON  
Mr. HALIBURTON  
Mr. ROACH

Mr. RITCHIE  
Mr. JAMES  
Mr. LAWSON  
Mr. PURDY  
Mr. BOLMAN  
Mr. SHAW  
Mr. TONGE  
Mr. MARSTERS  
Mr. WELLS

## Against the motion,

Mr. PYKE  
Mr. CHANDLER  
Mr. CRANE  
Mr. WARWICK  
Mr. LENT  
Mr. POOL  
Mr. NORTHUP

So it passed in the affirmative.

On motion *resolved*, that a Committee be appointed to prepare an Address in answer to the foregoing Message of his Excellency the Lieutenant Governor.

*Ordered*, That Mr. Tonge, Mr. Haliburton, and Mr. Ritchie, be a Committee accordingly.

On motion, *ordered*, that the Message of his Excellency the Lieutenant-Governor to this House, of the 18th of December last, and the account and papers accompanying the same, be referred to the Committee of Supply; and thereupon,

On motion, the House resolved itself into a Committee of the whole House to

consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that the Committee had come to several Resolutions thereupon, which they had directed him to report to the House; and he read the report in his place; and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

*Resolved*, That it is the opinion of this Committee, that the sum of £.26 7 6, should be granted to Ebenezer Crosby, in full of his demand for the maintenance and care of two transient paupers

*Resolved*, That it is the opinion of this Committee, that the sum of £.115 1 4½, should be granted to Rufus G. Taylor, in full for a drawback of the Duty on 2907 Gallons of Wine by him exported and landed in the Island of St. Domingo, in the year 1806.

*Resolved*, That it is the opinion of this Committee that the sum of £.79 12 6, should be granted to Jonathan Tremain and John Tremain, in full for a return of Impost Duty on a quantity of Hemp, by them imported from the United States of America, in the year 1807.

*Resolved*, That it is the opinion of this Committee, that the sum of twenty-three pounds six shillings should be granted to Alexander Henry, in full for his demand for running the division line between the County of Halifax and the County of Sydney, per account.

*Resolved*, That it is the opinion of this Committee, that the sum of fifty pounds should be granted to the Commissioners of the Poor of Halifax, to be by them applied in the relief of the indigent Debtors confined in the Halifax Jail.

*Resolved*, That it is the opinion of this Committee, that the sum of twenty-five pounds should be granted to Robert King, of Windsor, to enable him to settle and improve the lands laid out to him on the road between Chester and Windsor: the said sum to be paid to him on his becoming bound to his Majesty, with two sureties to be approved of by the Court of General Session at Windsor, that he will clear five acres of his said land; and will build and reside, or place a family thereon, for a term of six years from the period when the said money shall be paid to him.

*Resolved*, That it is the opinion of this Committee, that the sum of twenty-five pounds should be granted to Henry Card, of Windsor, to enable him to settle and improve the lands laid out to him on the road between Chester and Windsor; the said sum to be paid to him on his becoming bound to his Majesty, with two sureties to be approved of by the Court of General Session at Windsor, that he will clear five acres of his said land, and will build, and reside, or place a family thereon, for a term of six years from the period when the said money shall be paid to him.

*Resolved*, That it is the opinion of this Committee, that the sum of twenty-five pounds should be granted to Jacob Keyzer, of Chester, to enable him to settle and improve his lands on the road between Chester and Windsor; the said sum to be paid to him on his becoming bound to his Majesty, with two sureties to be approved of by the Court of General Session at Lunenburg, that he will clear five acres of his said land, and will build, and reside thereon, for a term of six years from the period when the said money shall be paid to him.

*Resolved*, That it is the opinion of this Committee, that the sum of thirty pounds should be granted for the encouragement of a person to settle at the West Branch of Saint

Saint Mary's River, on the main road from Guyborough to Musquodoboit—the said sum to be paid to such settler on his becoming bound to his Majesty, with two sureties to be approved by the General Court of Sessions at Sydney, that he will clear five acres of the land that may be appropriated and laid out for him, and will also build and reside thereon for a term of six years from the period when the said money shall be paid to him.

*Resolved*, That it is the opinion of this Committee, that the sum of thirty pounds should be granted for the encouragement of a person to settle half way on the main road leading from the East branch of St. Mary's river to Guyborough; the said sum to be paid to such settler on his becoming bound to his Majesty, with two Sureties to be approved of by the Court of General Session at Sydney, that he will clear five acres of the land that may be appropriated and laid out for him, and will also build and reside thereon for a term of six years from the period when the said money shall be paid to him.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again on the consideration of a Supply.

The said Report and Resolutions were read throughout a first and second time; and thereupon,

Mr. Mortimer moved, that the resolution for granting the sum of £.25 to Jacob Keyzer, be not agreed to by the House; which being seconded and put, and the House dividing thereon, there appeared for the motion, sixteen, against it eleven: So it passed in the affirmative: and thereupon,

The Report, and the several other Resolutions as reported from the Committee of Supply, were then severally put to the House, and, upon the question, thereupon agreed to.

Mr. Tonge reported from the Committee appointed to prepare an Address to his Excellency the Lieutenant-Governor, agreeably to the resolution of this day, and presented an Address accordingly, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was read, and is as follows:

TO HIS EXCELLENCY

SIR JOHN WENTWORTH, BARONET, L. L. D.

Lieutenant-Governor and Commander in Chief in and over His Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

*The Address of the House of Representatives in General Assembly;*

MAY IT PLEASE YOUR EXCELLENCY,

**T**HE House of Assembly has given respectful consideration to your Excellency's Message of the twelfth of January one thousand eight hundred and seven, relative to an augmentation of the Salary of the Treasurer of the Province.

In deliberating on this subject, the Assembly has been led to take a view of the Salaries of the several Officers of this Government, and to compare them with the necessary qualifications of such Officers and the services required from them, and has thence formed an opinion, that the Salary usually granted to the Treasurer of the Province, is a sufficient provision for an Officer, whose duties may be performed by any person of integrity and accuracy who possesses a knowledge of Money Accounts.

The Assembly has every disposition to make an adequate compensation to the Officers of His Majesty's Government in this Province; but as it appears that the increased business of the Treasurer has been occasioned principally by his performance of services not connected with those of his office: the Assembly, with due deference and respect for your Excellency's recommendation, does not conceive it necessary or expedient at this time to make any addition whatever to his salary.

*Resolved,*

*Resolved*, That the said Address be presented to his Excellency the Lieutenant Governor by a Committee of this House.

*Ordered*, That Mr. Hutchinson, Mr. Mortimer, and Mr. Lawson, be a Committee accordingly.

*Ordered*, That the Clerk do wait on his Excellency to know his pleasure when he will receive the said Address.

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

Saturday, 9th January, 1808.

PRAYERS.

*Ordered*, That the account of David Thomson, health-officer for the port of Halifax, be referred to Mr. Morton, Mr. Lawson, and Mr. Ritchie, who are to examine into the merits of the same, and report thereon to the House.

On motion of Mr. Dimock, *resolved*, that a Committee be appointed to take into consideration the claims that John Hall may have on the public for the road leading through his land from the upper bridge on the River Shubenacadie to the main road leading from Colchester to Halifax, and report thereon to the House.

*Ordered*, That Mr. Dimock, Mr. Pyke and Mr. Chandler, be a Committee for the above purpose.

Mr. Ritchie, pursuant to leave given, presented a Bill for regulating Negro Servitude within and throughout this Province; and the same was read a first time: and thereupon

Mr. Roach moved, that the Bill be read a second time this day three months; which being seconded and put, and the House dividing thereon; there appeared for the motion Ten, against it Sixteen.

For the Motion :

Mr. BAKER,	Mr. LENT,
Mr. DIMOCK,	Mr. ROACH,
Mr. MORTIMER,	
Mr. MARSTERS,	
Mr. POOL,	
Mr. PYKE,	
Mr. WELLS,	
Mr. BOLMAN,	

Against the Motion :

Mr. LAWSON,	Mr. WARWICK,
Mr. MORTON,	Mr. HALIBURTON,
Mr. COLLINS,	Mr. NORTHUP,
Mr. TONGE,	Mr. DEWOLF,
Mr. CRANE,	Mr. RITCHIE,
Mr. SHAW,	Mr. JAMES,
Mr. CHANDLER,	Mr. ROBIE,
Mr. PURDY,	Mr. HUTCHINSON,

So it passed in the negative.

*Resolved*, That the Bill be read a second time.

Mr. Warwick offered to the House a Petition, which he stated was signed by John Taylor, and a number of others, proprietors of Negro servants brought from his Majesty's late Colonies, now called the United States, setting forth—That owing to certain doubts, entertained by the King's Courts of Law in this Province, such property is rendered wholly untenable by the Petitioners, whose Negro servants are daily leaving their service and setting the Petitioners at defiance, and praying their case may be taken into consideration, and such regulations made, as shall be deemed expedient for securing the Petitioners' property in their Negro servants; or, that if such property is to be sacrificed to the public good, the Petitioners may receive an equitable compensation: and thereupon,

Mr. Warwick moved, That the Petition be received by the House; which being seconded and put, and the House dividing thereon, there appeared for the motion, sixteen, against it, nine: So it passed in the affirmative.

*Ordered*,

*Ordered*, That the Petition do lie on the Table.

Mr. Mortimer reported from the select Committee on the subject of Roads and Bridges; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and thereupon,

*Resolved*, That the said Report be referred to the Committee of Supply, and thereupon,

On motion, *resolved*, That the House do now resolve itself into a Committee of the whole House to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that he was directed by the Committee to move for leave to sit again on the consideration of a Supply; which report the House agreed to.

Mr. Speaker reported, that he had, pursuant to the order of the House, made an application to his Excellency the Lieutenant-Governor for a new Writ for the election of a Member for the County of Sydney; and also a Writ for the election of a Member for the Township of Annapolis, and that, in answer to his application to his Excellency, he had received a letter from the Secretary of the Province, which he read to the House, and is as follows:

*Secretary's Office, Halifax, 8th January, 1808.*

SIR,

I am directed by his Excellency the Lieutenant-Governor to acknowledge the receipt of your letter dated the 5th of January, 1808, respecting the request of the House of Assembly that a new Writ be issued to elect a fit person to represent the County of Sydney, in the present Assembly: as a Writ has been issued for this purpose and returned, and the Member sworn in, his Excellency requires that he should be informed by what means a vacancy has arisen, that he may be able to judge, if, under the the circumstances of the case, he may consider the Seat as legally vacated.

The request of a new Writ for Annapolis has, by his Excellency, with the advice of Council, been submitted to his Majesty for his decision thereon, under the circumstances stated respecting it, in the Journals of the last year, and until he receives his Majesty's commands thereon, which are daily expected, no new Writ can be issued.

I have the honor to be, Sir,

Your most obedient humble servant,

B. WENTWORTH.

*Ordered*, That the Letter do lie on the Table to be perused by the Members of this House.

Then the House adjourned until Monday, at Eleven of the Clock.

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Monday, 11th January, 1808.

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PRAYERS.

A Bill for regulating Negro servitude within and throughout this Province, was read a second time.

N

*Resolved*,

*Resolved*, That the Bill be committed to a Committee of the whole House.

Mr. Dimock reported from the Committee on the subject of the claim of John Hall, and he read the report in his place; and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

That the Committee have examined into the claim of the Petitioner, and are of opinion, that the sum of twenty-five pounds would be a reasonable compensation to the Petitioner, and therefore recommend that the said sum should be allowed to him.

*Ordered*, That the Report be referred to the Committee of Supply.

Mr. Robie presented a Petition (recommended to the House by his Excellency the Lieutenant Governor) of John Legett, of Country Harbor, Esq. and the same was read, setting forth, that in July last, an American brig called the Sally, was cast away and wrecked on the coast, about twenty miles from said Harbor, having on board a quantity of Brandy and Wine, and that from the exertions of the Petitioner a quantity of the former article was saved, and Duties thereon to the amount of one hundred and eighty six pounds, twelve shillings and six pence secured to the Province; and praying some compensation for his services.

*Ordered*, That the Petition be referred to Mr. Dimock, Mr. Mortimer and Mr. Robie, who are to examine into the same, and report thereon to the House.

The Clerk reported that he had, pursuant to order, waited on his Excellency the Lieutenant-Governor, to know when he would be pleased to receive the Address of this House of Friday last, and that his Excellency had appointed this day at one o'clock, at the Government House.

Mr. Secretary Wentworth, by order of his Excellency the Lieutenant-Governor, delivered to the House:

An Account of Michael Wallace, Esq. acting Commissioner for the new Government House, amounting to £. 14 12 12 0.

An Account of John Philipps, for his services as Health-Officer, for the port of Halifax, in the years 1804 and 1805, amounting to £. 30

An Account of Daniel Dewolf, and Caleb Forfyth, for repairing the Bridge over the Gasperau River, in Horton, and the Bridge over the Half-way River on the new road leading to Horton, amounting to £36 1 6; also, an account for repairing the Bridge last mentioned, amounting to £. 13 17 6; and also,

A Contract, made by John M'Monagle, Esq. for repairing the Road and Bridges on the west side of Arddife Hill, amounting to £40.

*Ordered*, That the said papers do lie on the Table, to be perused by the Members of the House.

Mr. Hatchinson reported from the Committee appointed to wait on his Excellency the Lieutenant-Governor with the Address of Friday last, that the Committee had accordingly waited on, and presented the said Address to his Excellency, and that his Excellency was pleased to give this answer:

GENTLEMEN,

FURTHER experience and consideration so fully impress my mind respecting my Message, referred to in your Address, that I cannot fail to express my hope, that the services and merits of the Treasurer, will soon be better understood, and more commensurately rewarded.

J. WENTWORTH.

Mr. Dimock reported from the Committee to whom the Petition of John Legett was referred; and he read the report in his place; and afterwards delivered it in at the Clerk's table, where it was read, and is as follows:

That the Committee have taken the Petition into consideration, and find that by the exertions of the Petitioner, Duties to the amount of £186 12 6 have been received by the Province, which Duties, but for those exertions, would, in all probability, not have been received. The Committee therefore recommend that the sum of £18 1 3 be allowed to the said Petitioner, being commissions at the rate allowed to Out-Port Collectors.

*Ordered,* That the Report be referred to the Committee of Supply.

Mr. Collins reported from the Committee to whom the Petition of William Blair, and the Petition of Robert M'Elhinney were referred, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

That the Committee have taken into consideration the petition of William Blair, and the evidence in support of the same, and are of opinion that the Petitioner ought not to be relieved from the contract; that the loss which has happened to the Petitioner, is one of those which all Contractors should contemplate when they enter into contracts of the like nature; the Committee, however, submit to the House the propriety of allowing the Commissioner to permit the Petitioner to complete the Bridge upon a better site a little higher up the river, and to receive the same, when completed, as if built upon the place agreed. The Committee further report, that they are of opinion, that the petition of Robert M'Elhinny ought to be dismissed, as the allowing his commissions would be establishing a bad precedent, and therefore to be avoided, and thereupon,

Mr. Marsters moved that William Blair be so far relieved from his late contract for building a Bridge over the North River at Onslow, as to be allowed to build the same over the said River, in such place as a main public highway shall be laid out across the same, at the expense of the District; which, being seconded and put, passed in the affirmative.

Mr. Marsters then moved, that it be referred to the Committee of Supply, to consider of a sum to be given to William Blair, as an indemnification for his loss, and to enable him to build a Bridge on the site alluded to, with a condition that he gives security to support the said Bridge for two years, which, being seconded and put, and the House dividing thereon, there appeared for the motion Ten, against it Fifteen.—So it passed in the negative.

On motion, the House resolved itself into a Committee of the whole House to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred; and that the Committee had directed him to move for leave to sit again on the further consideration of a Supply, which report the House agreed to.

On motion of Mr. Tonge, *resolved*, that a Committee of Privileges be appointed, and thereupon,

*Ordered,*



*Ordered*, That Mr. Hutchinson, Mr. Robie, Mr. Tonge, Mr. Ritchie, Mr. Haliburton, Mr. Mortimer, and Mr. Roach be a Committee accordingly.

*Ordered*, That the Letter from the Secretary of the Province to Mr. Speaker, on the Subject of his application for new Writs for the Election of a Member for the County of Sydney, and for the Town of Annapolis, be referred to the foregoing Committee.

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

Tuesday, 12th January, 1808.

PRAYERS.

Mr. Hutchinson, pursuant to leave given, presented a Bill in amendment of an Act for establishing a Public School in the town of Halifax ; and the same was read a first time.

*Resolved*, That the Bill be read a second time.

On motion, the House resolved itself into a Committee of the whole House, on the consideration of the Bill for regulating Negro Servitude, within and throughout the Province.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had deferred the consideration of the said Bill to this day three months ; and he afterwards delivered the Bill in at the Clerk's Table.

The said Report was, on the question put thereupon, agreed to by the House.

On motion, the House resolved itself into a Committee of the whole House to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that the Committee had come to several Resolutions thereupon, which they had directed him to report to the House, and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

*Resolved*, That it is the opinion of this Committee, that the following Sums should be granted and applied for the service of Roads and Bridges :

Two hundred pounds to repair the road from Mitchell's to Pence's farm, at the bounds of the County of Hants.

Three hundred pounds to repair the road from the Windfor road to Hall's, leading to Truro.

Three hundred pounds to repair the road from Hall's to Truro.

Twenty-five pounds to repair the road from Onflow to Tatamaguthe.

Thirty pounds to aid the inhabitants of Londonderry, to build a bridge over the river Debert, on the main road leading to Cumberland.

Ninety-five pounds to repair the road from the Great Village Bridge, to the line of Cumberland County.

One hundred and twenty-five pounds to repair the road from John Christie's in Truro, to the District Line dividing Colchester from Pictou, being on the main road from Halifax to Pictou.

Two hundred pounds to repair the road from the District Line, dividing Colchester from Pictou, to John M'Cabe's, being a continuance of the main road from Halifax to Pictou.

Fifty pounds to assist the inhabitants of Pictou, to build a bridge over the West River of Pictou, at Blackie's; they having raised seventy pounds for that purpose, and entered into a contract for one hundred and twenty pounds. The bridge to be maintained by the Contractor for seven years.

Fifty pounds to assist the inhabitants of Pictou to rebuild a bridge over the middle river, the site to be pointed out by the Commissioner and two assistants, or the majority of them, being on the main road leading from Halifax to Antigonishe.

Fifty pounds to repair the road from Charles Brown's, to the bridge over the west river of Margomishe, being on the main road leading from Halifax to Antigonishe, distance six miles, without any settlers.

Twenty-five pounds to aid the inhabitants of the river John to repair the road leading from their settlement to Pictou, a distance of fourteen miles, without any settlers.

One hundred pounds to repair the road from Guysborough to the east branch of St. Mary's river.

One hundred pounds to repair the road from the head of Milford Haven to the Indian Gardens at Antigonishe.

Eighty pounds to repair the road from the Indian Gardens to Malignant Cove.

Forty pounds to aid the inhabitants at the Gulf of St. Lawrence, to build a bridge over the Doctor's Brook, near Malignant Cove.

Eighty pounds to repair the new main road from Antigonishe to the Forks of St. Mary's River, where it joins the main road leading from Guysborough to Musquodoboit.

Twenty-five pounds to repair the road from William Drifon's, at Milford Haven, to Elisha Randall's, at Little River, by the way of Traccadie, said river being at present impassable.

Twenty-five pounds to repair the road from Boylston, at Milford Haven, to the Gut of Canfo.

One hundred pounds to repair the road from the south bounds of the County of Hants, at Pence's Farm, to the top of the Ardoise Hill, on the new road.

Seventy-five pounds to repair the road from the top of Ardoise Hill, on the new road, to the Three Mile Plain, in Windsor.

Seventy-five pounds to repair the road from the Three Mile Plain to Avon Bridge in Windsor.

Twenty-five pounds to repair the road from Avon Bridge to the bounds of King's County.

Fifty pounds to repair the road in Rawdon leading to Halifax, beginning at the Church and ending at Lawrence's.

Fifty pounds for building a bridge over the Kenetcook River in Douglas, (the same having been carried away by the floods) and for the main road to Halifax.

Forty-five pounds to assist the inhabitants in Newport, to build the bridge over the river Kenetcook, in said Township; the former sum granted being insufficient.

Forty pounds to repair the road from Kenetcook River to the Nine Mile River Settlement, in Douglass.

Twenty-five pounds to repair the road from Newport Town Line to the main road in Rawdon, near Haley's, leading to Halifax.

Twenty-five pounds to repair the road from Samuel Grant's, in Newport, to Coal Pit Hill, on the main road to Colchester.

Forty pounds to repair the road from the Indian Orchard, in Windsor, on the road leading to Chester, to Moofe Horn Hill.

Eighty-five pounds to repair the new main road from the half-way river Bridge on the southern boundary of Horton, to the Stone Bridge in Horton.

Forty pounds to repair the post-road leading to Annapolis, between Greenwood's and Harrington's Farms.

Forty-five pounds to repair the post-road leading to Annapolis, between William Pineo's, and the western part of Aylesford.

Ten pounds to repair the post-road leading to Annapolis, at the hill near Abraham Webster's.

Fifty pounds to repair that part of the new Aylesford road lying between Silas Rand's and John Parker's, on said road.

Twenty pounds to repair the road between Jonathan Loomer's, in Cornwallis, and Scotch Bay.

Ten pounds to repair the road from the new Aylesford road to Black Rock in Cornwallis.

Twenty pounds to aid the Inhabitants of New Canaan, in Horton, to extend their main road towards Nictaur.

Fifty pounds to repair the main road between the southern boundary of the County of Cumberland and Lewis's, near the half-way river.

Fifteen pounds to explore a road from near the house of Caleb Lewis, on the main road leading from Cumberland to Partridge Island, to the road leading from Macan Settlement to the River Philip.

Fifteen pounds to aid the making a new Bridge over the North River, at the Five Islands in Parrborough.

Forty pounds to repair the road from the lower Gasperau Bridge in Horton, towards Mount Denfon in Falmouth.

Three hundred and twenty-three pounds towards rebuilding the Bridge over Beaver, on the post-road from Annapolis to Digby.

One hundred and ten pounds for rebuilding the bridge over Moose River, on the post-road from Annapolis to Digby.

Thirty pounds for repairing the causeway from Allen's Creek to the upland near the Court House, on the post-road from Annapolis to Digby.

Twenty-two pounds in aid for completing and finishing the bridge over the Annapolis River, near Lunn's Mills, in the Township of Annapolis.

Twenty pounds, in addition to the like sum granted last year, to rebuild a bridge on the main road leading through Granville, near the house of Captain Bath.

Twenty-five pounds for rebuilding a bridge on the main road leading through the Township of Granville, near the house of Edward Thorne, Esq.

Forty pounds to repair the main road from Sissiboo to Yarmouth, between the north end of St. Mary's Cape and Salmon River.

Thirty pounds to repair the main road on the peninsula below Digby, between Sandy Cove and Petit Passage.

Ninety pounds to repair the bridge over Jordan River, and the road to the bounds of Queen's County.

Sixty pounds to repair the road and bridges from Shelburne to Barrington.

Seventy-five pounds to repair the road and bridges from Barrington to Pubnico River.

Twenty-five pounds to repair the road and bridges from Pubnico to Strawberry Point.

Twenty-five pounds to build a bridge over Abobtick River,

Twenty-five pounds to build a bridge over Eel Lake River.

Fifty pounds to repair Salmon River Bridge, and the road from Tusket River to Jéboque River.

One hundred pounds to repair the road and bridges from Saunders's Mill, to Salmon River, in the County of Annapolis.

One hundred and fifty pounds to repair the road from Liverpool to the half-way Tree on the Nictau road.

Fifty pounds to repair the road from Herring Cove bridge in Liverpool, to South West Cove in Port Metway.

Fifty pounds to repair the road from Herring Cove bridge, to Salmon Island bridge towards Liverpool Falls.

Thirty pounds to repair the road from the Town of Liverpool to the Falls of Liverpool.

Seventy pounds to repair the road from Liverpool to Port Mutton.

Twenty-five pounds to repair the road from Port Mutton to Port Jolly.

Twenty-five pounds to repair the road from Port Jolly to the bounds of Shelburne County.

Fifty pounds to repair the road and bridges between Lunenburg (to begin at Kraw's) and the Nictau German settlement.

Seventy-five pounds to repair the main road from Chester towards Windsor.

One hundred and fifteen pounds to rebuild the bridge over Gold River, on the main road leading from Windsor to Lunenburg, which bridge was carried away last Fall by an extraordinary flood. The abutments of the said bridge to be of stone.

Sixty pounds to build a bridge over Petit Rivere, on the main road between Lunenburg and Queen's County, and for improving that part of the road between that river and Pernette's mills, on Lahave river.

Two hundred pounds to repair the road and bridges from the bounds of Londonderry to Amherst.

One hundred pounds to repair the road and bridges from the bounds of King's County, on the Parrborough road, to Napan bridge.

Twenty-five pounds to repair the road from Gabriel Purdy's, on the Cumberland road, to Remsheg Harbor.

Twenty-five pounds to repair the road from Richard Thompson's on the River Philip, to Andrew Fashner's, on Remsheg Harbor.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again on the consideration of a Supply.

The said Report and Resolutions were read throughout a first and second time, and, upon the question severally put thereupon, agreed to by the House.

*Ordered.* That the Clerk do carry the foregoing Resolutions to the Council, and desire their concurrence to the same.

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

Wednesday,

Wednesday, 13th January, 1808.

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PRAYERS.

A Bill in amendment of an Act for the establishing a Public School in the town of Halifax ; and also,

A Bill for extending throughout the Province, the Act to prevent unnecessary firing of Guns, and other Fire Arms, &c. in the town and suburbs of Halifax ; were severally read a second time,

*Resolved*, That the Bills be committed to a Committee of the whole House.

Mr. Marsters pursuant to leave given, presented a Bill for altering the time of holding the second sitting of the General Sessions of the Peace at Truro ; and the same was read a first time, and thereupon,

On motion of Mr. Pearson, *resolved*, That the Bill be read a second time this day three months.

On motion of Mr. Morton, *resolved*, that a Committee be appointed, to ascertain what sums of money have been granted by the Legislature for certain Services, and yet remain in the Treasury unexpended, and report thereon to the House.

*Ordered*, That Mr. Morton, Mr. Dimock, and Mr. Archibald be a Committee for the above purpose.

On motion of Mr. Shaw, *resolved*, that a Committee be appointed to wait on his Excellency the Lieutenant-Governor, to ascertain what proceedings have been had as to the erection of a Light House on Briar Island, and thereupon,

*Ordered*, That Mr. Shaw, Mr. Ritchie, and Mr. Wells, be a Committee accordingly.

On motion, the House resolved itself into a Committee of the whole House to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that he was directed by the Committee to move for leave to sit again on the consideration of a Supply ; which report the House agreed to.

On motion of Mr. Haliburton, *resolved*, that a Committee be appointed to take into consideration the state of the Old Government House, with the adjacent Buildings, Grounds, &c. and to report thereon to the House : and thereupon,

*Ordered*, That Mr. Haliburton, Mr. Archibald and Mr. Mortimer, be a Committee accordingly.

On motion of Mr. James the House proceeded to take into consideration the several Accounts laid before this House on the 11th instant, by order of his Excellency the Lieutenant-Governor, and the same were read by the Clerk, and thereupon,

On motion, *resolved*, That the Account of John Philipps, be dismissed.

*Ordered*, That the Accounts of Daniel Dewolf, and Caleb Forfyth, and the Contract entered into by John M'Monagle, for the repair of Roads and Bridges be referred

to Mr. Pearson, Mr. Chandler and Mr. Mortimer, who are to examine into the same, and report thereon to the House.

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

Thursday, 14th January, 1808.

PRAYERS.

On motion of Mr. Roach, *resolved*, that a Committee be appointed, to prepare and bring in a Bill to continue and amend the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges.

*Ordered*, That Mr. Roach, Mr. Archibald, and Mr. Dewolf, be a Committee accordingly.

On motion, the House resolved itself into a Committee of the whole House, on the consideration of the Bill for extending throughout the Province, the Act to prevent unnecessary firing of Guns, and other Fire Arms, &c. in the town and suburbs of Halifax.

Mr. Speaker left the Chair.

Mr. Poul took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to them referred, and that the Committee had directed him to report the said Bill without any amendment; and he afterwards delivered the Bill in at the Clerk's Table.

*Ordered*, That the Bill be engrossed.

Mr. Hutchinzen reported from the Committee of Privileges, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

That in obedience to the order of the House, your Committee have proceeded to take into consideration the Letter addressed to the Speaker, from the Secretary of the Province, on the subject of the vacant Seats for the Town of Annapolis and County of Sydney, and having enquired into, and examined, the Proceedings of the Assembly, since its first formation, relative to contested Elections—cannot find one instance where an appeal from its decisions has been made to any other power. That by the extracts from the Journals, hereunto annexed, it appears, that the House in many instances have not considered it necessary even to state upon the Journals, the reasons which induced them to decide that a Seat was vacant, and that a new Writ was issued immediately upon application being made to the Governor stating a vacancy. That your Committee made this reference to the Journals of the House of Assembly, not because they had any doubt of the exclusive power of the House to decide, without appeal, in all cases relative to the returns of Members and their qualifications, and all matters incident to Elections; but to ascertain whether any cases could be found from which the Counsellors of his Excellency could infer a right, in any other branch of the Legislature, to interfere in the decisions of the House, upon subjects long since settled and determined, to be within its jurisdiction alone. That your Committee, in further pursuance of the intentions of the House, to gain all necessary information

on the subject matter referred to them, applied to His Majesty's Attorney-General who had been Speaker of several Houses of Assembly, for information of what had been the usual mode of making known to the Governor, that a vacancy had taken place, who wrote to the Chairman of your Committee, the Letter hereunto annexed: by which it appears that he never communicated the reasons of the decision of the House to the Governor, when he applied for a new Writ, and that he never knew an instance of a Writ not being issued upon an application for that purpose. The Attorney-General also furnished your Committee with a copy of a Letter written by him to his Excellency the Lieutenant-Governor, on the subject of the vacating the Seat of Mr. Walker, the last Sessions, which Letter is hereunto annexed, and does in the opinion of your Committee, contain an accurate statement of the Law and Usage of Parliament, and of the House, applying to the present subject; which opinion is confirmed by that of His Majesty's Solicitor-General on the same subject, which your Committee have also annexed. It further appears to your Committee that the claim his Excellency the Lieutenant-Governor has been so improperly advised to set up, would, if yielded to, destroy the independence of the House as a distinct branch of the Legislature; for if the returns of Sheriffs and the judicial decisions of this House thereon, were subject to the revision claimed by his Excellency, it would be very easy for a Governor, if it were possible to suppose one so corrupt, to direct such returns as he thought proper, and no alternative would remain to the House, but that of submitting to the mortification of seeing some of its Seats filled by persons whose practices had been illegal and corrupt, as in the case of the Annapolis Election, or of declaring such Seats vacant, and thereby leave the County or Town without representation. It appears to your Committee that the rights and privileges of this House, in Election cases, were asserted on the thirty-first day of March, One Thousand Seven Hundred and Eighty-Nine, on which day it was "*Resolved*, That the House has the sole and exclusive power of examining and determining the rights and qualifications of Electors and elected, together with the returns of Writs, and all matters incidental to Elections," which rights are authorized by a perpetual Law of the Province, made for the better regulation of Elections, and have never until now been questioned. His Excellency the Lieutenant-Governor, having sent the case of the Annapolis Election to His Majesty's Ministers, for the determination of His Majesty thereon, your Committee are of opinion, that it will be the duty of the House at present, to avoid making any further application upon that subject, but to expect from the wisdom and justice of Our Most Gracious Sovereign, such a determination, as will effectually confirm to His Loyal Subjects in Nova-Scotia, a full, fair and uncorrupt representation, and to this House its just rights and privileges:

Your Committee therefore recommend to the House to pass the following Resolutions:

*Resolved*, That all attempts to draw the examination, discussion or determination of the qualifications of Electors, or persons elected, or the proceedings of Sheriffs on the return of Writs for the Elections of Members, or the decisions of this House thereon, to any other Tribunal, are unconstitutional attacks upon the most undoubted rights of the people of Nova-Scotia.

*Resolved*, That a humble Address be presented to his Excellency the Lieutenant Governor upon the subject of his aforesaid communication, and to demand that a Writ be issued for the Election of a Member to represent the County of Sydney, in the General Assembly.

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The Chairman of the Committee also delivered to the House, the several papers referred to in the above Report ; and the same were read by the Clerk, and are as follow ;—Viz :

*References to Cases in the Journals, wherein the House of Assembly have exercised the exclusive right of determining on the qualifications of Members :*

9th April, 1759.	<i>Bowers, and Hinchelwood's case.</i>	} Petition states irregularities in the Election, as not reading the Writ, undue practices, and want of time to execute the Writ, &c. The House vacate the Election.
21st June, 1762.	<i>Samuel Willoughby.</i>	
2d April, 1764.	<i>Mr. West.</i>	} Expelled the House for contempt and disobedience in not attending his duty in the House. His Seat vacated on account of sickness and infirmity.
	<i>Mr. Cutting, and Mr. ———</i>	
	<i>Mr. Zouberbubler.</i>	} For non-attendance and absence from the Province. Appointed a Councillor. On his resignation.
	<i>Mr. Tupper.</i>	
June 7, 1766.	<i>Gregory Townsend, and John Grant.</i>	} The Election made void for the cause of the inhabitants of Cape Breton (instead of the Freeholders) being permitted to vote. The House determined that Mr. Salter was not duly elected, without shewing an cause.
2d July, 1772.	<i>Malachy Salter.</i>	
25th June, 1775.	<i>Mr. Monk.</i>	} The House determined that Mr. Monk was not duly elected for Yarmouth, without shewing any cause. Seats declared vacant, as the parties were not resident within the Province. Writs ordered in four days.
Dec. 1785.	<i>Christopher Harper, and William Freeman.</i>	
17th December, 1785.	<i>Brewer, and Wilkins.</i>	} Brewer's Election declared void, as the Sheriff had continued the Poll after the time for returning the Writ ; and Wilkins, who had the majority at that time, declared duly elected. The House resolve, that the House has the sole and exclusive power of examining and determining the rights and qualifications of Electors and elected, together with the returns of Writs, and all matters incidental to Elections.
31st March, 1789.	<i>The House resolve,</i>	
6th April, 1789.	<i>James Smith.</i>	} The Seat of Mr. Smith, of Londonderry, vacated on account of his being a public defaulter.

On Friday, the 28th February, 1800,

It was Resolved, That the Election of the County of Halifax, so far as it respected the return of *William Cottnam Tonge*, Esq. was void ; and that Mr. Speaker do make application to his Excellency, that he will be pleased to direct a new Writ to be issued, in the usual manner, for electing a fit person to represent the said County, in the room of the said *William Cottnam Tonge*.

On Wednesday the 26th March, 1800.

*Michael Wallace*, Esq. returned duly elected for the County of Halifax, took the usual Oaths and his Seat.



On Friday, the 14th of March, 1800,

The election of the Township of Halifax, as far as it related to the return of the sitting Member, *John George Pyke*, Esq. was declared void, and therefore, ordered, that Mr. Speaker do make application to his Excellency the Lieutenant-Governor, that he will be pleased to direct a new Writ to be issued in the usual manner; for the electing a fit person to represent the Township of Halifax, in the room of *John George Pyke*, Esq.

Wednesday, the 16th April, 1800,

*Andrew Belcher*, Esq. returned duly elected for the Town of Halifax, took the usual Oaths and his Seat.

Copy of a Letter from the Chairman of the Committee of Privileges, to His Majesty's Attorney-General, dated

*Halifax, 13th January, 1808.*

SIR,

I am requested by a Committee of the House of Assembly, to apply to you for information, whether during the time you presided as Speaker in the late and former Houses of Assembly, on applying to the Governor to issue a new Writ for the election of a Representative in the room of a sitting Member whose election had been set aside by the House, it was usual to state, in such application, the reasons on which the House had decided.

I have the honor to be,

Sir, your most obedient servant,

FOSTER HUTCHINSON.

*Richard John Uniacke, Esq. &c.*

Copy of a Letter from the Attorney-General, to the Chairman of the Committee of Privileges, dated,

*Halifax, 13th January, 1808.*

SIR,

In answer to your Letter I reply, that while I had the honor to serve the House of Assembly as Speaker, I never considered it as any part of my duty, to state to the Governor the reasons which induced the House to declare any Election void, I never did more on such occasions, but thereby to state to the Governor, the vacancy, and the causes of it, merely, whether occasioned by Death or the Resolution of the House, and I have no remembrance of any instance, when a new Writ was refused to be issued on my representing a vacancy to have taken place.

I have the honor to be,

Sir, your humble servant,

RICHD. J. UNIACKE.

*Foster Hutchinson, Esq. &c.*

Copy of a Letter from the Attorney-General, to the Secretary of the Province, dated,

*Halifax, 13th March, 1807.*

SIR,

I had the honor yesterday, to receive through you, his Excellency the Lieutenant-Governor's orders to give my opinion on the case you enclosed, and to send the same to his Excellency, in writing, under my hand, that it might be transmitted to the Secretary of State for His Majesty's instructions.

I hasten to comply with his Excellency's orders, and now return you the case with my opinion, in writing, annexed thereto, that you may, without delay, lay the same before his Excellency.

I have the honor to be,  
Sir, your very faithful servant,  
RICHD. J. UNIACKE.

The Honorable B. Wentworth,  
Secretary of the Province.

OPINION.

NOT having seen the evidence on which the resolution of the House of Assembly of the 11th of December last was founded, I can form no opinion as to the facts set forth in the Petition, but I feel myself bound by the Resolution entered on the Journals, which states that, the sitting Member for Annapolis, Mr. Walker, had used undue influence to obtain the vote of a Freeholder at the election for that town; assuming that fact as proved and established, I am of opinion that the House acted legally in declaring Mr. Walker's election void.

In answer to the second quere: I have never heard it doubted, that the common law of England, extended to all her Colonies, of which this Province makes one; and His Majesty's predecessor, George the Second, has been pleased to grant to this country the power of legislating for itself, under certain rules and regulations, in consequence of which, the House of Assembly, in conformity to His Majesty's instructions, was constituted the popular branch of the Legislature, and is in my opinion governed by the *Lex et Consuetudo Parliamenti*, which is a part of the Common Law of England; it is so considered by Sir Edward Coke, 4th inst. page 50; this Law is contained in the Rolls and Records of Parliament, and is founded on precedents and experience; it is a Law that necessarily must extend to this country, and affords the only safe rules to guide and direct its Legislature. The Journals of the House of Assembly, from its first formation, to the present day, shew that it has always considered the Law of Parliament as extending to this country, and the uniform practice and course of proceeding, as appears from the most ancient Resolutions of the House, have been made conformable to that Law, as near as local circumstances will permit, without having recourse to the Statute Law of Great-Britain; which in this respect has been considered as particularly applicable to the High Court of Parliament, and not suited to the infant Legislature of a new country; one of the strongest maxims of the Law of Parliament is, that whatever matter arises, concerning either House, ought to be examined, discussed and judged, in that House to which it relates, and not elsewhere.

The right of trying controverted Elections, was contested between the Court of Chancery, and the Commons in the reign of Elizabeth and James the first; but the House of Commons maintained the exclusive right, and have enjoyed it without interruption, I may say, for near two centuries. In the case of Ashley against White and others, 2d. Lord Raymond, 944, it is laid down that the right of determining controverted Elections, is particularly reserved to Parliament; to it belongs to determine the fundamental rights of the House, as to its constituent parts, and the Members of it, and the Courts of Westminster, shall not tell to Parliament who shall sit there. In 1st Blackstone commentaries, page 178, it is said, the power of determining contested Elections, alone belongs to the House of Commons. I have examined with care the Journals of the House of Assembly, and it appears to have exclusively exercised the power from its first formation to the present day, in numberless instances.

ees. By a Resolution of the House of Commons of the 2d April, 1677, which was made a standing order 21st October, 1678, every present gift, reward, promise or obligation made by any persons thereafter to be elected, to any person having a vote at such Election, were, by the House, declared to be bribery and sufficient to make every such Election void. In *Blackstone's* commentaries, 177, it is laid down that all undue influences upon the Electors are illegal. So far back as the reign of Queen *Elizabeth*, Thomas Long, who gave the Mayor of Welbury, four pounds, was removed from his seat in Parliament, and the House fined and imprisoned the Mayor. In the case of the King, against Pitt and Mead, in 3d *Ben.* 1388, and in Sir *William Blackstone*, 382, Lord *Mansfield* says, bribery at Elections for Members of Parliament, has always been a crime at Common Law. In the case of the borough of St. Ives, it appeared that Mr. Fraed, after striking off all the votes obtained by undue influence, still had a majority of uncorrupted Electors, yet he was rendered incapable of sitting on that Election, because it appeared that his father advanced money to the voters, for which he took their notes, payable with interest, but at the same time accompanied with a promise, that if they voted for his son, the money would never be demanded. Very many other cases of the like nature, may be cited, if necessary; those cases will, according to my understanding, support the Resolution of the House of Assembly respecting the Annapolis Election.

*Copy of the OPINION of the Solicitor-General.*

*First.* I am of opinion, that the proceedings of the House of Assembly relative to the before mentioned Election and Return, are regular and constitutional, and that the seat of the said Thomas Walker, as Member for the town of Annapolis, is legally vacated thereby.

*Second.* I am of opinion, that in cases of Election all undue influence whatever, upon the Electors, is, by the Common Law of the Land, illegal, and that the House of Assembly of this Province, being guided by the customs and usages of the House of Commons of England, and having the sole right to examine and determine all matters relating to the right of election of their own Members, can support the said proceedings upon constitutional grounds.

JAMES STEWART.

On motion of Mr. James, *resolved*, unanimously, That all attempts to draw the examination, discussion or determination of the qualifications of Electors, or persons elected, or the proceedings of Sheriffs, on the returns of Writs for the elections of Members, or the decisions of this House thereon, to any other Tribunal, are unconstitutional attacks upon the most undoubted rights of the People of Nova-Scotia.

On motion of Mr. Lawson, *resolved*, unanimously, That a humble Address be presented to his Excellency the Lieutenant-Governor, upon the subject of his aforesaid communication, and to demand that a Writ be issued for the election of a Member to represent the County of Sydney in the General Assembly.

*Ordered*, That the Committee of Privileges do prepare an Address to his Excellency, agreeable to the foregoing Resolutions.

• On motion, the House resolved itself into a Committee of the whole House, on the consideration of the several Bills which stood committed.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that he was directed by the Committee to move for leave to sit again on the consideration of the same; which report the House agreed to.

Mr. Hutchinſon reported from the Committee appointed to prepare an Address to his Excellency the Lieutenant-Governor, agreeable to the Resolution of this day, and presented an Address accordingly, which he read in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

TO HIS EXCELLENCY

SIR JOHN WENTWORTH, BARONET, L. L. D.

Lieutenant Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

*The Humble Address of the House of Representatives in General Assembly.*

*May it please your Excellency,*

THE House of Assembly have had under their consideration a Letter of the Eighth instant, from the Secretary of the Province, written by your Excellency's command, to the Speaker of this House, in answer to his application to your Excellency for a new Writ for the Election of a Representative for the County of Sydney, the seat of the Member lately elected for that County having been vacated by the unanimous decision of the House.

The Assembly cannot refrain from expressing to your Excellency their alarm at the disclosure of principles, and expression of claims, in the Secretary's letter, which tend directly to the subversion of one of the best established rights and privileges of the House; on the maintenance of which the independence and even the existence of this branch of the Legislature depend.

The Assembly hold it to be their bounden duty, most solemnly and explicitly, to declare that, by the principles of the constitution, the general Law of Parliament, and the uniform and hitherto undisputed practice of the House of Assembly of this Province, since its first formation, the privilege of judging and deciding the rights of electors and elected, and on all questions relating to the elections, was, and is solely and exclusively vested in the House of Assembly, without appeal or reference to the ulterior judgment of any authority whatsoever.

The Assembly considers that when the seat of any Representative has been adjudged and determined by the House to be vacant, and notice thereof is communicated by the Speaker to the Governor or Commander in Chief, a Writ for a new election to fill such vacant seat should be ordered as of course, and that it is a violation of the rights of the Freeholders of this Province, to withhold the issuing of such Writ accordingly.

Impressed with these firm and unalterable opinions, the House of Assembly in the name and behalf of the people of Nova-Scotia, with all due respect, but with that freedom which becomes this Assembly, when claiming their undoubted rights, demand from your Excellency that a Writ be ordered for the Election of a Member to represent the County of Sydney in General Assembly.

On the subject of a Writ for the Township of Annapolis, referred to in the Secretary's

Secretary's Letter, the Assembly lament that your Excellency should have been induced, by any advice whatever, to adopt a measure by which the Freeholders of that Township, have been so long deprived of their right of Representation; more especially, as the advice proceeded from those, who, in another capacity, have made repeated attempts to invade the privileges of the Assembly, and was also diametrically opposite to the opinions of His Majesty's Law Officers, on this important question.

The Assembly, however, possess such full and unlimited confidence in the disposition of their Most Gracious Sovereign, the true Father of His People, to preserve to them their just and Constitutional rights, that as a reference has been made, by your Excellency, to His Majesty's decision, they are willing to suspend their just claims until His Royal Pleasure shall be signified.

*Resolved*, That the said Address be presented to his Excellency by the whole House.

*Ordered*, That the Clerk do wait on his Excellency, to know his pleasure when he will be attended by the House.

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

Friday, 15th January, 1808.

PRAYERS.

The Clerk reported that he had, pursuant to order, waited on his Excellency the Lieutenant-Governor to know when he would be pleased to receive the Address of the House, and that his Excellency had appointed Tuesday next, at one of the Clock, at the Government-House.

On a complaint having been made by Mr. Bolman, Member for the County of Lunenburg, of an action having been commenced against him in the Supreme Court, for words spoken by him in his place, on a subject under discussion, in this House, in its former Session, and that William Lawson and Edward James, Esqrs. two Members of this House, appeared in the said Court, and gave testimony relative to words spoken by him in his place, in this House; and the said Members, William Lawson and Edward James, being present, and acknowledging that they considered that they were bound to attend and give such evidence:

*Resolved*, That the said William Lawson and Edward James be subject to the censure of this House, but in consideration that they acted under an idea that they were bound to give such evidence, the House will pass over the same without farther observation.

A Message from the Council, by Mr. Gautier:

Mr. Speaker,

The Council have agreed to fifty-two Resolutions of this House, for granting Monies for Roads and Bridges.

And then the Messenger withdrew.

On motion, the House resolved itself into a Committee of the whole House on the consideration of the Bill in amendment of the Act for the establishing a public School in the Town of Halifax.

Mr.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made some progress in the Bill to them referred; and that the Committee had directed him to move for leave to sit again on the consideration of the same; which report the House agreed to.

Mr. Roach moved that the House do now resolve itself into a Committee of the whole House on the further consideration of the Bill for the Summary Trial of Actions; which, being seconded and put, passed in the negative.

Then the House adjourned till To-morrow at Eleven of the Clock.

Saturday, 16th January, 1808.

PRAYERS.

Mr. Shaw reported from the Committee appointed to wait on his Excellency the Lieutenant-Governor on the subject of a Light-House to be erected at Briar Island, that the Committee had waited on his Excellency, who was pleased to inform the Committee, that the sum of £,200, had been granted towards the expence of erecting the said Light-House, and that his Excellency had appointed the Honorable George Leonard, a Commissioner to point out and secure a proper situation for that purpose. And the said Commissioner had done so accordingly. That the proposals made for erecting the said Light-House, exceeded the Monies voted by the Legislatures of both Provinces, and his Excellency therefore recommended, that the sum of £,200, should be voted by the House, which would be necessary in addition to the sum already granted, to build the House, exclusively of the Lanthorn, which would probably cost £.120 more. And that his Excellency would adhere to the plan of construction advertised for, unless a preferable one should be offered, in which case he would communicate a new plan to the House.

*Ordered*, That the report do lie on the Table.

Mr. Roach reported from the Committee appointed on the subject of the Act to regulate the expenditure of Monies for the service of Roads and Bridges, and accordingly presented a Bill to amend and continue an Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges; and the same was read a first time.

*Resolved*, That the Bill be read a second time.

On motion of Mr. James, *ordered*, that the Account of Michael Wallace, Esq. acting Commissioner for the new Government-House, amounting to £.1412 12 0, be referred to Mr. Robie, Mr. Haliburton, Mr. Lawson, Mr. James, and Mr. Baker, who are to examine into the same, and report thereon to the House.

Mr. Speaker having informed the House, that upon referring to the Paper received from His Majesty's Council yesterday, with their Message, respecting the Resolutions of this House appropriating Monies for the repair of Roads and Bridges, it appears that the said Paper is only a copy of certain Resolutions of this House, and that the originals are retained by His Majesty's Council; which the Speaker conceived was

not conformable to the usual way of transmitting any Resolution of this House, from the Council, and also contrary to the Resolutions passed, unanimously, in the House, on Monday the 12th January, 1807, and thereupon,

*Resolved*, That a Conference be desired with His Majesty's Council, on the subject of Roads and Bridges, and that the Clerk do desire the same.

Mr. Ritchie, pursuant to leave given, presented a Bill to encourage the raising of Bread Corn, on new Lands; and the same was read a first time.

*Resolved*, That the Bill be read a second time.

On motion, the House resolved itself into a Committee of the whole House on the consideration of the Bill in amendment of the Act for the establishing a public School in the Town of Halifax.

Mr. Speaker left the Chair.

Mr. Póol took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to them referred, and had made several amendments thereunto, which they had directed him to report to the House, and he afterwards delivered the Bill, with the amendments, in at the Clerk's Table.

The said amendments were read, throughout, a first and second time, and, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the Bill, with the amendments, be engrossed.

Then the House adjourned until Monday, at Eleven of the Clock.

Monday, 18th January, 1808.

PRAYERS.

A Bill for extending, throughout the Province, the Act to prevent unnecessary firing of Guns and other Fire Arms in the Town of Halifax, was read a third time.

*Resolved*, That the Bill do pass, and that the Title be, An Act for extending throughout the Province, the provisions of An Act, made in the 32d year of his late Majesty, intituled, An Act to prevent unnecessary firing of Guns and other Fire Arms, in the Town and Suburbs of Halifax.

A Bill, in amendment of an Act, for establishing a publick School, in the Town of Halifax, was read a third time.

*Resolved*, That the Bill do pass, and that the Title be, An Act in amendment of an Act, passed in the 20th year of his Majesty's Reign, intituled, An Act for establishing a publick School in the Town of Halifax.

*Ordered*, That the Clerk do carry the Bills to the Council, and desire their concurrence to the same.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council agree to the Conference, on the subject of Roads and Bridges; and also to the Conference on the subject of the Bill relative to the affize of Barrels, as desired by this House, immediately, in the Committee Room of the Council.

And then the Messenger withdrew.

*Ordered*,

*Ordered*, That Mr. Roach, Mr. Tonge, Mr. Mortimer, Mr. Crane and Mr. Shaw, do manage the said conference, and that they do take with them the paper containing copies of certain resolutions of this House, which was sent down by his Majesty's Council on Friday last, and also remind the Committee of his Majesty's Council of the resolutions of this House, passed on Monday the 12th January, 1807, and likewise inform the Committee of the Council, that the Resolutions for granting Money for Roads and Bridges, are intended by this House, as separate Resolutions, and that if his Majesty's Council, have any difficulty in considering them as such in their present form, this House will direct them to be signed by the Clerk. That the Committee, be also instructed to leave with the Committee of the Council, the said paper sent down by the Council on Friday.

And the Managers went to the Conference accordingly.

And being returned,

Mr. Roach reported that the Managers had been at the Conference, and obeyed the instructions of this House, on the subject of the Resolutions for granting Money for Roads and Bridges; and also respecting the Bill relative to the affize of Barrels, &c. and that the Committee of His Majesty's Council informed the Managers, they would communicate the substance of the said Conference to the Council.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council request a further Conference, on the subject matter of the last Conference, immediately in the Committee Room of the Council.

And then the Messenger withdrew.

*Resolved*, That this House doth agree to a further conference as desired by the Council, and that the Clerk do acquaint the Council therewith.

*Ordered*, That the Managers who managed the last conference do manage this Conference.

And the Names of the Managers were called over.

And they went to the Conference.

And being returned,

Mr. Roach reported, that the Managers had been at a further Conference, and that they had received from the Committee of His Majesty's Council, a written paper, which he read to the House, and is as follows :

We are instructed to say that the Council have no doubt but the mode adopted by them of sending down copies of the Resolutions sent up by the House for the concurrence of Council, and retaining the originals, is not contrary to parliamentary usage; and this mode is rendered necessary on the part of the Council, by the practice of the House, of so connecting long strings of different Resolutions together; that the originals cannot be sent down without great risk of mistake where part only are agreed to, part lie for further consideration, and part are disagreed to. But if the Assembly will send each several Resolution to the Council by itself, it would be severally considered, and the original sent down, if the House wished it, and thereupon,

*Ordered*, That the Clerk do sign each several Resolution, for granting Money for Roads and Bridges, which have passed this House, and carry the same to His Majesty's Council for their concurrence.



On motion, the House resolved itself into a Committee of the whole House, on the consideration of the Bill for the Summary Trial of Actions.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made some progress in the Bill to them referred, and that he was directed by the Committee to move for leave to sit again on the consideration of the same; which report the House agreed to.

Mr. Lawton, pursuant to leave given, presented a Bill to encourage the fitting out of Vessels in this Province, for carrying on the Bank and Cod Fisheries; and the same was read a first time.

*Resolved*, That the Bill be read a second time.

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

Tuesday, 19th January, 1808.

PRAYERS.

A Bill to encourage the raising of Bread Corn on new Lands, and also,

A Bill to amend and continue an Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges; were severally read a second time.

*Resolved*, That the Bills be committed to a Committee of the whole House.

On motion, the House resolved itself into a Committee of the whole House on the further consideration of the Bill for the Summary Trial of Actions.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to them referred, and that they had made several amendments thereunto, which they had directed him to report to the House, and he afterwards delivered the Bill, with the amendments, in at the Clerk's Table.

The said amendments were read throughout a first and second time, and, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the Bill, with the amendments, be engrossed.

The Speaker and the House attended his Excellency the Lieutenant-Governor, with their Address, pursuant to the Resolution of Thursday last.

And being returned,

Mr. Speaker reported that his Excellency was pleased to give this Answer:

*Gentlemen of the Assembly,*

THE claim of the House of Assembly, stated in their Address, relative to the Writ of Election, appearing to be subversive of the powers vested in the Governor, by His Majesty's Royal Commission and Instructions, it is my duty to submit the subject to His Majesty's Government in England.

When

When differences of opinion arise between the several branches of the Legislature, the ultimate resort is to the King, from whom we all derive our Powers, but such differences do not authorize asperity of sentiment or expression.

*Ordered*, That the foregoing Answer from his Excellency the Lieutenant-Governor, to the Address of this House, be referred to the Committee of Privileges, who are to take the same into consideration, and report thereon to the House.

Mr. Secretary Wentworth, by order of his Excellency the Lieutenant-Governor, laid before the House the following accounts, vizt :

Thomas Carlwell's account for papering rooms, fitting up furniture, &c. in the new Government-House, for the reception of his Excellency the Lieutenant-Governor, to 1st October, 1806, amounting to	}	£100 19 4
John Merrick's account, for painting and glazing, for the new Government-House from 18th December, 1806, to 20th November, 1807.		
Hartthorne & Boggs's account for Ironmongery, for do. from 1st January, to 18th June, 1807.	}	13 15 3
Richard Munday's, do. for Blacksmith's work, do. from December, 1806, to the 7th December, 1807.		

Amounting to £159 6 2

*Ordered*, That the said accounts be referred to the Committee appointed to examine and report on the account of Michael Wallace, Esq. the acting Commissioner for the new Government-House.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have agreed to fifty-two Resolutions of this House, for granting the following sums for Roads and Bridges, vizt :

- 200l. for the road from Mitchell's to Pence's Farm.
- 300l. for the road from the Windsor road to Hall's leading to Truro.
- 300l. for the road from Hall's to Truro.
- 25l. for the road from Onslow to Tatamagushe.
- 50l. for the road from Musquodoboit to the west branch of St. Mary's river.
- 30l. to aid the inhabitants of Londonderry to build a bridge over the river Debur.
- 95l. for the road from the Great Village bridge to the line of Cumberland County.
- 125l. for the road from John Christie's, in Truro, to the District line dividing Colchester from Picton.
- 50l. for the road from Charles Brown's to the bridge over the west river of Picton.
- 100l. for the road from Guyborough to the east branch of St. Mary's river.
- 100l. for the road from the head of Milford Haven to the Indian Gardens, at Antigonish.
- 40l. to aid the inhabitants at the Gulf of St. Lawrence to build a bridge over the Doctor's Brook, near Malignant Cove.
- 25l. for the road, from William Drifson's, at Milford Haven, to Elisha Randall's, at Little River, by way of Traccadie.
- 25l. for the road from Boylston, at Milford Haven, to the Gut of Canis.

100l. for the road from the south bounds of the County of Hants to the top of the Ardoife hill.

75l. for the road from the top of Ardoife hill to the Three Mile Plain.

75l. for the road from the Three Mile Plain to Avon bridge.

25l. for the road from Avon bridge to the bounds of King's County.

50l. for the road in Rawdon, leading to Halifax, from the church to Lawrence's.

50l. for building a bridge over the river Kenetcook, in Douglas, and for the road to Halifax.

45l. to assist the inhabitants in Newport to build the bridge over the river Kenetcook.

40l. for the road from Kenetcook river, to the Nine Mile River settlement in Douglas.

40l. for the road from the Indian orchard, in Windsor, on the road leading to Chester from Moose Horn Hill

85l. for the new road from the Half-way River bridge, on the southern boundary of Horton, to the stone bridge in Horton.

40l. for the road leading to Annapolis between Greenwood's and Harrington's farms.

45l. for the road between William Pineo's and the western part of Aylesford.

10l. for the road leading to Annapolis at the hill near Abraham Webster's.

20l. to aid the inhabitants of New Canaan to extend their main road towards Nictaur.

50l. for the road between the southern boundary of the County of Cumberland, and Lewis's near the Half-way River.

15l. to aid the inhabitants in building a bridge over the North River, at the Five Islands in Parrsborough.

40l. for the road from the lower Gaspereau Bridge, in Horton, towards Mount Denon, in Falmouth.

110l. for rebuilding a bridge over Moose River, on the road from Annapolis to Digby.

20l. in addition to the sum granted last year, to rebuild a bridge on the main road in Granville, near Captain Bath's.

40l. for the road from Sciffabou to Yarmouth, between the North end of St. Mary's Cape and Salmon River.

30l. for the road on the Peninsula below Digby, between Sandy Cove and Petite Passage.

90l. for the bridge over Jordan River, and the road to the bounds of Queen's County.

60l. for the road and bridges from Shelburne to Barrington.

25l. for the road and bridges from Pubnico to Strawberry point.

25l. to build a bridge over Abobtic river.

25l. to build a bridge over Eel Lake river.

50l. for Salmon River Bridge, and the road from Tusket River to Jébogue River.

100l. for the road and bridges from Saunders's Hill to Salmon River, in the County of Annapolis.

50l. for the road from Herring Cove Bridge in Liverpool, to South West Cove in Port Metway.

25l. for the road from Port Mutton to Port Jolly.

25l. for the road from Port Jolly to the bounds of Shelburne County.

50l. for the road and bridges between Lunenburg (to begin at Kraw's) and the Nictaur German Settlement.

115l. to rebuild the bridge over Gold River on the road from Windsor to Lunenburg.

60l. to build a bridge over Petite River on the road between Lunenburg and Queen's County, and improving the road between that river and Pernette's mills.

200l. for the road and bridges from the bounds of Londonderry to Amherst.

100l. for the road and bridges from the bounds of King's County to Napan bridge.

25l. for the road from Gabriel Purdy's, on the Cumberland road, to Remfleg Harbour.

25l. for the road from Richard Thomson's on the river Philip, to Andrew Fushner's on Remfleg Harbour.

And then the Messenger withdrew.

On motion, the House resolved itself into a Committee of the whole House to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that he was directed by the Committee to move for leave to sit again to consider further of a Supply; which report the House agreed to.

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

Wednesday, 20th January, 1808.

PRAYERS.

A Bill for the Summary Trial of Actions, was read a third time.

*Resolved*, That the Bill do pass, and that the Title be, An Act for the Summary Trial of Actions.

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence to the same.

Mr. Archibald, pursuant to leave given, presented a Bill for the appointment of Sheriffs, in the two Districts of Colchester and Pictou; and the same was read a first time.

*Resolved*, That the Bill be read a second time.

A Message from the Council, by Mr. Gautier:

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for extending, throughout the Province, the provisions of An Act, made in the 32d year of the reign of his Majesty, intitled, An Act to prevent unnecessary firing of Guns and other Fire Arms, in the Town and Suburbs of Halifax, without any amendment.

The Council have not agreed to fourteen Resolutions of this House, for granting the following sums for Roads and Bridges, viz:

- 50l. for building a bridge over the West river of Pictou, at Blackie's.  
 25l. for the road from the river John to Pictou.  
 80l. for the road from the Indian Gardens to Malignant Cove.  
 25l. for the road from Newport Town line to Rawdon.  
 25l. for the road from Newport to Coal Pit hill.  
 50l. for the road between Silas Rand's and John Parker's in Aylesford.  
 20l. for the road from Loomer's to Scotch Bay in Cornwallis.  
 10l. for the road from Aylesford to Black Rock in Cornwallis.  
 15l. to explore a road from Caleb Lewis's to the road leading from Macan to the River Philip.  
 22l. for completing the bridge over the Annapolis river near Lunn's mills.  
 25l. for rebuilding a bridge in Granville, near Edward Thorne's house.  
 50l. for the road from Herring Cove Bridge to Salmon Island Bridge.  
 30l. for the road from the town of Liverpool to the Falls of Liverpool.  
 75l. for the road from Chester towards Windsor.  
 And then the Messenger withdrew.

On motion, the House resolved itself into a Committee of the whole House, to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred; and that they had directed him to move for leave to sit again on the consideration of a Supply; which report the House agreed to.

On motion of Mr. Ritchie, *resolved*, That a Conference be desired with the Council, on the subject of the Agriculture and Fisheries of the Province, and that the Clerk do request the same.

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

Thursday, 21st January, 1808.

PRAYERS.

A Bill for the appointment of Sheriffs in the two Districts of Pictou and Colchester was read a second time.

*Resolved*, That the Bill be committed to a Committee of the whole House.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council agree to the Conference, as requested by this House, yesterday, on the subject of the Agriculture and Fisheries of the Province, immediately in the Committee Room of the Council.

The Council have agreed to the Bill, entitled, An Act in amendment of an Act, passed in the 20th year of his Majesty's Reign, intitled, An Act for establishing a publick School in the Town of Halifax, with several amendments, to which they desire the concurrence of this House.

And then the Messenger withdrew.

*Ordered*,

*Ordered,* That Mr. Morton, Mr. Ritchie, Mr. Haliburton, Mr. Lawson, and Mr. Collins, do manage the Conference with the Council.

And they went to the Conference.

And being returned,

Mr. Morton reported, that the Managers had been at the Conference, and stated the substance of the Conference to the House.

On motion, the House resolved itself into a Committee of the whole House on the consideration of the Bill for the appointment of Sheriffs in the two Districts of Pictou and Colchester.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr Speaker resumed the Chair.

The Chairman reported from the Committee that they had deferred the consideration of the Bill to this day three months; and he afterwards delivered the Bill in at the Clerk's Table; which report, upon the question put thereupon, was agreed to by the House.

The House proceeded to the consideration of the amendments made by the Council, to the Bill, entitled, An Act in amendment of an Act, for establishing a public School in the Town of Halifax, and thereupon,

On motion, *resolved*, that this House do not agree to the said amendments, and that the Clerk do carry the Bill to the Council, and acquaint them that this House adhere to the Bill as sent up to the Council for their concurrence.

Mr. Mortimer reported from the Committee on the subject of the bounty granted on Salt, and accordingly presented a Bill to encourage the Fisheries of this Province by granting a Bounty on the importation of Salt; and the same was read a first time.

*Resolved*, That the Bill be read a second time.

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

Friday, 22d January, 1808.

#### PRAYERS.

Mr. Lawson offered to the House, an account of William Minns for sundry printing for Government between the 27th April, 1793, and the 30th October, 1807, amounting to £. 20 11 6; and thereupon,

*Resolved*, That the said account be not received by the House, it being presented at so late a period of the Sessions.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council request a further Conference, by Committee, on the subject matter of the last Conference, immediately in the Committee Room of the Council.

And then the Messenger withdrew.

*Resolved*, That this House doth agree to the Conference as desired by the Council, and that the Clerk do acquaint the Council therewith.

*Ordered,* That the Managers who managed the last Conference do manage this Conference.

And the names of the Managers were called over

And they went to the Conference.

And being returned,

Mr. Morton reported that the Managers had been at the Conference, and stated the substance of the Conference to the House.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for the Summary Trial of Actions, with an amendment, to which they desire the concurrence of this House.

And then the Messenger withdrew.

The House proceeded to take the amendment made by the Council to the Bill before mentioned into consideration, and the said amendment being read throughout a first and second time, was, upon the question put thereupon, agreed to by the House.

*Ordered,* That the Clerk do carry the Bill to the Council, and acquaint them that this House hath agreed to the amendment made by them.

A Bill to encourage the Fisheries of this Province, by granting a bounty on the importation of Salt ; was read a second time.

*Resolved,* That the Bill be committed to a Committee of the whole House.

On motion the House resolved itself into a Committee of the whole House on the several Bills which stood committed.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair

The Chairman reported from the Committee that they had gone through the Bill to encourage the raising of Bread Corn on new Lands. The Bill to encourage the Fisheries of this Province, by granting a bounty on the importation of Salt ; and also, the Bill to amend and continue an Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges ; and had made several amendments thereunto, respectively, which they had directed him to report to the House, and he afterwards delivered the Bills, with the amendments, in at the Clerk's Table.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again on the Bills to them referred.

The said report, and amendments to the foregoing Bills were read, throughout, a first and second time, and, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That the Bills, with the amendments, be engrossed.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for the Summary Trial of Actions, without any amendment.

And then the Messenger withdrew.

A Bill to encourage the fitting out of Vessels in this Province, for carrying on the Bank and Cod Fisheries, was read a second time.

*Resolved*, That the Bill be committed to a Committee of the whole House.

An engrossed Bill, to amend and continue an Act to regulate the expenditure of Monies, hereafter to be appropriated for the service of Roads and Bridges; was read a third time.

*Resolved*, That the Bill do pass, and that the Title be, An Act to amend and continue an Act passed in the 47th year of the Reign of his present Majesty, entitled, An Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges.

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence to the same.

On motion, the House resolved itself into a Committee of the whole House to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that he was directed by the Committee to move for leave to sit again on the consideration of a Supply; which report the House agreed to.

On motion, *ordered*, that the Committee appointed on the subject of the Licence Duty Accounts for the town and peninsula of Halifax, do again wait on his Excellency the Lieutenant-Governor, and acquaint his Excellency that those accounts have not yet been laid before this House.

On motion of Mr. Mortimer, *resolved*, That a Committee be appointed to join a Committee of His Majesty's Council to take into consideration the expediency of erecting a Light House near Canso, and for procuring a plan and estimate, to be laid before the Legislature at their next meeting.

*Ordered*, That Mr. Mortimer, Mr. Lawson, and Mr. Archibald, be a Committee accordingly.

*Ordered*, That the foregoing Resolution be sent to His Majesty's Council, for concurrence.

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

Saturday, 23d January, 1808.

PRAYERS.

An engrossed Bill to encourage the raising of Bread Corn, on new Lands, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to encourage the raising Bread Corn on new Lands.

An



An engrossed Bill to encourage the Fisheries of this Province, by granting a bounty on the importation of Salt, was read a third time.

*Resolved,* That the Bill do pass, and that the title be, An Act to encourage the Fisheries of this Province, by granting a bounty on the importation of Salt.

*Ordered,* That the Clerk do carry the Bills to the Council, and desire their concurrence to the same.

Mr. Archibald reported further from the Committee on the expiring Laws, and accordingly presented a Bill to continue in force the several Acts therein mentioned; and the same was read a first time.

*Resolved,* That the Bill be read a second time.

Mr. Collins reported from the Committee appointed to examine into the expenditure of all Monies voted for Roads and Bridges, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read and is as follows:

*County of Halifax.*

Vote, 1806, £.250.—Road from Sackville to Hants County, for which an account appears properly vouched, and there remains in the hands of Jonathan Snelling, Commissioner, a balance of 41l. 2 s to be expended: the money appears to be all drawn from the Treasury.

Vote, 1805, £.25.—For repair of Lawrence-Town Road. Account of expenditure. Tobias Miller, Commissioner. No certificate.

Vote, 1807, £.200.—Road from Colchester to Pictou. Expended and certified. Thomas Lowden and George M'Koy, Commissioners.

Vote, 1806, £.100.—For opening a Road from Moore's, at Gay's River, to the River Musquodoboit. Five contracts for the whole sum: there yet remains a balance in the hands of Robert Geddes, Commissioner, which sum is not expressed, and no certificate of expenditure.

Votes, 1806, £.125.—Road from Gay's River to Truro.

20.—For repairing Salmon Bridge in Truro.

Vote, 1805, £.40.—Road from Caribou Harbour to the road from Pictou to Halifax. A memorandum of Contracts entered into by James Milne, Commissioner. No vouchers of expenditure.

Votes, 1806, £.30.—For clearing and repairing Roads and Bridges from the upper settlement of the East river of Pictou to Musquodoboit. A Contract for 25l. No certificate of expenditure. Alexander Henry, Commissioner.

£.150.—Road from Musquodoboit to the east branch of St. Mary's river. Alexander Henry, Commissioner, of which sum has been expended by days' work, and certified

	£.114 12 0.
Commissions on the whole sum	7 10 0.
The charge for Tools amounts to	£.16 17 0.
Also the charge of the Commissioner for his time and attendance	11 10 0.

————— 27 18 0.

The Committee are of opinion that the two last sums ought not to be allowed: to allow for the purchase of Tools would be improper, and encourage the expenditure of the Public Money in procuring articles that might be lost to the Province; and it appears to the Committee the wages allowed to the Labourers were the same as the wages given to those who find their own Tools, in other parts of the Province; and the Committee are further of opinion, that the commissions allowed by Law to a Commissioner

Commissioner, is a sufficient compensation for his trouble ; and that the said Alexander Henry, by retaining the latter sum of £.11 1 0, is highly reprehensible, and should be held accountable for the same, as well as for the Money expended for Tools.

*District of Colchester.*

- Votes, 1806, £.80.—For building a bridge over Folly River in Londonderry. Expended and certified.
- £.30.—For repairing the Great Village bridge in Londonderry. Expended and certified.
- £.20.—Road from Brown's, in Londonderry, towards Remsheg. Expended and certified.
- Vote, 1805, £.60 } For building a bridge over the north river in Onslow. Copy  
1806, 25 } of contract appears, but no voucher or certificate of expenditure. James M'Curdy, Commissioner.
- Votes, 1806, £.50.— } Road from Onslow to Tatamagushe. Certificate of expenditure. James M'Curdy, Commissioner.  
40.-- }  
40.—Road from Dickie's to upper Sewack ; copy of four contracts for that sum ; no certificate of expenditure. Samuel Tupper, Commissioner.
- £125.—Road from Gay's River to Truro—  
100.—Road from Truro to the District of Picou. }  
25.—Road from Shubenacadie to the Old Barns. } Matthew Archibald, Commissioner.  
20.—To repair Salmon River bridge in Truro ; expended and certified. }

*County of Sydney.*

Vote, 1803, £.100.—For building a bridge over the south branch of Antigonishe river ; one contract for the whole sum, including commissions ; no certificate or account of expenditure. T. W. Hierlily, Commissioner.

Vote, 1805, £.15.—Road from Manchester to Tracadie.  
50.—To aid the Inhabitants of Guysborough and Manchester, to build Bridges over the north east and west Rivers at the head of Milford Haven, on the Main Road leading from Guysborough to Antigonishe, expended by contracts and days work. } Thomas Cutler, Commissioner.

The Committee are of opinion that the wages were, in some instances, extravagant, and that the said Commissioner might have expended the said money more to the advantage of the Public, had the whole been expended by contract.

Votes, 1806, £.113.—Road from Guysborough to the east branch of St. Mary's river.  
50.—Main road from Guysborough, to the north branch of Milford Haven, leading to Antigonishe. Expended by days work and certified. } Thomas Cutler, Commissioner.

Vote, 1806, £.40.—To open a road from Antigonish to the bridge over the east branch of St. Mary's River; copy of a contract for the whole sum; no account of expenditure. Nathaniel Symonds, Commissioner.

*County of Hants.*

Vote, 1802, £.100.—For bridge over the river Shubenaccadie. David Whidden, Commissioner. Remains as reported in 1804; that contracts appeared for the expenditure of 99 certificates.

Vote, 1803, £.75.—From the river Kenetcook to Lawrence's, on the Halifax road. William Salter, and William Parker, Commissioners; contracts for the whole sum; no certificates; remains as reported last year.

Votes, 1805, £.50.—Road from Rawdon church to Halifax road.

30.—Road from Widow Weir's to Rawdon church.

Votes, 1806, remains as reported last year.

100.—Road from the south bounds of the county of Hants to Ardoise; also

100.—Road from Ardoise to the Three Mile Plain. John M'Monagle, Commissioner.

One Contract for	£.102 10 0
Do.	72 10 0

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£. 175 0 0

15l. of the money remains in the hands of the Commissioner; also commissions on the whole sum amounting

25 0 0

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£.200 0 0

**No Certificates:**

Votes, 1805, £.25.—Road from Le Breau Creek to Avon Bridge; a contract, but no certificate of expenditures. John M'Monagle, Commissioner.

£.40.—From Avon Bridge to the bounds of King's County, being part of the Vote of 1801 to improve the road from Avon Bridge to Stone Bridge in Horton; contract 38l. commissions retained. John M'Monagle, Commissioner. No certificate of expenditure.

Votes, 1806, £.60.—To assist the Inhabitants of Newport, to build the Bridge, over the River Kenetcook. John M'Monagle, Commissioner. No account of expenditures.

£.50.—To improve the road on the shore between Petit and Cockmagan. Michael B. Grant, Commissioner; Seven contracts amounting to £.47 9 6. Commissions retained, no certificate of expenditure.

£.50.—For the road from the Church in Douglas, to the river Shubenaccadie, near Halj's. Wm. Smith, Commissioner; No returns.

£.25.—For the bridge over the river Hebert in Newport; No returns.

25.—For improving the road from Harvie's in Newport, to the main road in Rawdon; No return.

£.40.—For the road from the main road in Rawdon, from the Church to the main road in Douglas; No return.

£.40.—To improve the road from David Whidden's in Douglas, to the Lower Bridge, over the River Shubenaccadie. No return.

Vote, 1806, £.80.—To improve the road through Douglafs, from the Rawdon road to the river Shubenaccadie. William Smith, Commissioner; No account of expenditure.

The Committee are of opinion that the sum of 3l. should be allowed to William Parker, Commissioner, for the expenditure of 60l. granted in the year 1805, to assist the inhabitants of Newport in building a bridge over the river Kenetcook, the expenditure being certified according to law.

*County of Lunenburg.*

Votes, 1806, £.80.—For road from Chester, to Moose Horn Hill. Anthony Vaughan, and David Crandell, Commissioners; Expended and certified.

£.50.—For road from Peter Hertley's to Gold river bridge. Anthony Vaughan and David Crandell, Commissioners. Expended and certified.

£.100.—Road from Lunenburg to Nictaur. John Lenox, Commissioner. Expended and certified.

£.15.—Road from Kaulback's Mill to Mahone Bay. John Lenox, Commissioner. Expended and certified.

£.35.—Road from Lunenburg to Lahave river. John Pernette, Commissioner. Expended and certified.

£.70.—Road from Pernette's Mills to Port Metway, John Pernette, Commissioner. Expended and certified.

*Shelburne County.*

Vote, 1805, £.100.—Road from Saunder's mill to Salmon river in Yarmouth.

50.—Road from Salmon river to Montegan river. Samuel Marshall and William Robertson, Commissioners; contracts certified by the Commissioners for the expenditure of £.138 12 6; including their commissions, leaving a balance due of £.11 7 6.

Vote, 1806, £.129 10.—Road from Shelburne to Barrington; expended and certified. Jacob Van Buskirk, Commissioner.

Votes, 1806, £.100.—Road from Barrington to Pubnico, of which there appears a copy of a contract for 80l. No certificate or account of expenditure, John Sargent, Commissioner.

£.75.—Road from Saunder's Mill to the Township of Yarmouth. No returns.

75.—Road from Shelburne, to the bounds of Queen's County. No returns.

50.—For the bridge over Tusket river and the road from the head of Jabouge River to Pubnico. No returns.

*Queen's County.*

Votes, 1806, £.100.—Road from Liverpool to Port Mutton, of which 80l. has been properly expended and certified. A contract appears between Joshua Newton the Commissioner and Allen M'Pherson and Israel Cole, for the expenditure of 20l. which is vouched agreeable to Law, but the expenditure is not agreeable to the vote of this House.

- Votes, 1806, £.30—Road from Port Mutton to Port Jolly. }  
 30—Road from Port Jolly to the bounds of } Joshua Newton,  
 Shelburne County. } Commissioner.  
 £40—Road from Liverpool towards the }  
 bounds of Liverpool County ; Expended and certified. }  
 £150—Road from Liverpool Falls towards the Half-way tree on the }  
 Nictaur road ; it appears by an account stated by Nathan Tupper, the Commis- }  
 sioner, that he has not completed the expenditure, and there remains in his hands a }  
 balance of £.58 2 6.

*County of Cumberland.*

- Vote, 1805, £15.—Road from Amherst to the Gulf of St. Lawrence. Thomas }  
 Roach, Commissioner ; remains as reported last year. }  
 Votes, 1806, £.160—Road from south bounds County of }  
 Cumberland to Amherst. }  
 £35—Road from Gabriel Purdy's to Rem- }  
 sheg. } Gabriel Purdy,  
 25—Road from Andrew Fulhner's to Ri- } Commissioner.  
 chard Thompson's on the River Philip. }  
 £30—Road from the River Macan to River }  
 Philip ; expended and certified. }  
 £60—Road from Parrsborough to Macanbridge. }  
 £15—For cutting and exploring a road from } Luke Harrison,  
 Macan to River Philip ; Expended and certified. } Commissioner.  
 £30l.—Road from Barronsfield to Parrsborough. Edward Baker, Com- }  
 missioner. No returns. }  
 £40.—Road from upper end of Amherst to the Gulf of St. Law- }  
 rence ; copy of two contracts. No certificate of expenditure. Thomas Roach, }  
 Commissioner. }  
 £20l.—Road from Remsheg to Colchester by Folly river ; No returns. }  
 Levi Steven, Commissioner. }

*King's County.*

- Votes, 1805, £.25.—Road from Five Islands to Parrsborough. James Noble Shannon, }  
 Commissioner. Expended and certified. }  
 £30. Road from Parrsborough to Macan. James Noble Shannon, }  
 Commissioner ; Expended and certified. }  
 £60—Road from Silas Rand's to Alyesford Church ; four contracts for }  
 part of the sum ; No returns or certificates. Elijah Crane, Commissioner. }  
 £25—Road from Greenwood's to Pineo's. Elijah Crane, Commis- }  
 sioner ; remains as reported last year. }  
 Votes, 1806, £60—Part of a vote of 100l. from Avon bridge to Horton. Caleb }  
 Forsyth, Commissioner ; account of expenditure, but not regularly certified. }  
 £40—Road from Greenwood's to Pineo's on the Annapolis road. }  
 Elijah Crane, Commissioner ; Expended by days work, £31 15. }  
 £50—Road from Greenwood's to Clermont. Elijah Crane, Com- }  
 missioner ;

Commissioner; expended by days work, 42l. 5s. There remains in the hands of the last mentioned Commissioner, exclusive of his commissions, 11l. 10s.  
 Votes, 1806, £.72.—Road from Silas Rand's to the Aylesford church. Elijah Crane, Commissioner; no returns.

Part of a vote 1805,	£30. 16 8	} Road from Scotch Bay in Cornwallis. Elijah Crane, Commissioner; accounts of expenditure, by days' work, amounting to 32l. 1s. no regular certificates; there remains in the hands of the Commissioner, 11l. 5s. 8d.
	12. 10 0	
	£.43. 6 8	

Votes, 1806, £.12. 10.—Road from Black Rock towards Cornwallis. Elijah Crane, Commissioner; no returns.

£.20.—For exploring a road from the main road in Horton, through new Canaan to Nictaur. Elijah Crane, Commissioner; account of expenditure, for 22l. Not regularly certified.

£.90.—Road from Avon Ferry to the new bridge over Gaspereau river by Mount Denison. Sherman Dennison, Commissioner; expended by days work, at four shillings per day, and properly vouched. The Commissioner expended above the sum voted 11. 11s. Commissions retained.

£.20. 10.—Road from Patridge Island to Economy. James Noble Shannon, Commissioner.

The days work amounts to	£.3. 0 0
Certified	
5. Contracts entered into, amount to	16 9 6
Commissions retained	1 0 6
	<hr/>
	£.20 10 0

No certificates.

Votes, 1806, £.40.—Road from Patridge Island to Cumberland. James Noble Shannon, Commissioner.

Days work to amount of 9½ days	£22 18 9
Contract for	15 1 3
Commissions retained	2 0 0
	<hr/>
	£.40 0 0

No certificate.

*County of Annapolis.*

Vote, 1801, £.200.—Road from the new Bridge at Dodge's to Longley's, on the Annapolis road, John Ruggles, Commissioner; Expenditure certified according to Law. The Committee recommend that the sum of 10l. be allowed to the Commissioner for his commissions.

Votes, 1805, £.127. 13.—Bridge over the Annapolis river at Hicks's Ferry. Robert Fitz Randolph and John Ruggles, Commissioners; Expenditure certified according to Law; the Commissioners not having received their Commissions, the Committee recommend that the sum of £.6 7, be allowed to them as compensation.

£.50.—Road from John Chipman's to Abel Beel's: Abel Beel, Commissioner; the Contract returned and certified last year. The Committee recommend

and that £2 10, be allowed the Commissioner as his commissions, he not having deducted the same from the sum expended.

Vote, 1805, £120.—Bridge over Allen's Creek. Dowie Ditmars and William Winniett, Commissioners, remains as reported last year.

Votes, 1805, £60.—Road between Smelt Brook and John Aikins's

£45.—Road between John Aikins's, and Petit Passage, on the main road leading to the Grand Passage, below Digby. John Morehouse, Commissioner; expended and certified according to law. The Commissioner omitting to deduct his commissions, the Committee recommend that the sum of 5l. 5s. be allowed to him for the same.

Votes, 1805, £50.—For road from Richard Armstrong's, in Annapolis, to Obadiah Morfe's, and

£20 6 8.—For repairing bridge over Bloody Creek. Abel Beel, Commissioner. The above sums expended and certified.

Votes, £20.—For repairing Bridge near Capt. Bath's: Not expended.

£50.—Road from Nictaur to Lunenburg. No returns.

£125.—For Bridge over Sciffabou river. No returns.

£25.—Road from Obadiah Griffin's to John Saxton's, and

£40.—Road from Marr's Brook to Sciffabou bridge. Jacob Tobias, Commissioner; Expended by days work and certified. The Commissioner having retained 20s. for riding over the road, the Committee are of opinion the same ought not to be allowed him.

Vote, £40.—Road from Lee's to Long's, on the post road from Annapolis to Digby. Jacob Tobias, Commissioner:

One contract for £24 10 0, certified according to law.

One Do. 7 10 0, not certified.

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£32 10 0.

No returns of expenditure of the remainder; the Commissioner has charged 20s. for riding over the road, exclusive of his commissions, which sum the Committee are of opinion ought not to be allowed.

Votes, 1806. £100.—Road from Gay Brook to Petit Passage below Digby. William Johnson, Commissioner; Expended and certified according to Law.

£40.—Road from Petit Passage to Grand Passage on Long Island. No returns.

£50.—For that part of the Liverpool road from the Southern Line of Annapolis County to the Ten Mile Tree. Nathaniel Parker, Commissioner, expended by days' work, and certified.

The Committee further report, that there are several other sums of money granted in the last Sessions of Assembly for the service of Roads and Bridges not yet accounted for. No contracts or vouchers having been forwarded for their inspection, and that having examined the several returns and accounts from the different Commissioners, find many of them so incorrect, and insufficient, that they cannot make any satisfactory report thereon; and that it is the opinion of the Committee, that all those Commissioners, for the expenditure of money on Roads and Bridges, throughout the Province, who have not respectively accounted for such expenditure, and produced vouchers for the same, as the Law directs; and who shall fail to render their accounts and certificates into the Secretary's Office, by the first day of the next Sessions of the General Assembly, should be proceeded against as delinquents, and that

that the bonds by them respectively given for the performance of their duty, should be put in suit.

*Ordered*, That the report do lie on the table to be perused by the Members of the House.

Mr. Tonge moved, that a Committee be appointed, to join with a Committee of His Majesty's Council, to examine into, and report on, the expenditure of the several sums granted by the Legislature for the service of Roads and Bridges; which being seconded and put, and the House dividing thereon, there appeared, for the motion, ten; against it, fifteen: so it passed in the negative.

Mr. Tonge moved, that the Committee for reporting on the expenditure of monies for Roads and Bridges, do add to their report, a statement of all sums heretofore appropriated for that service, and not duly accounted for, according to Law, with the names of the Commissioners, where it appears any have been appointed; which being seconded and put, and the House dividing thereon, there appeared, for the motion, sixteen; against it, ten: so it passed in the affirmative, and thereupon,

On motion, *ordered*, That Mr. Tonge be added to the said Committee, in the room of Mr. Haliburton.

*Ordered*, That Mr. Lawson be also added to the said Committee.

On motion of Mr. Mortimer, resolved, that his Excellency the Lieutenant Governor, be requested to draw a Warrant in favor of George Roy, Commissioner, for erecting a bridge over the French river at Margomithe, for the sum of Sixty Five Pounds, which sum was voted in the last Session of General Assembly and intended for the above purpose, but by mistake was not explicitly worded in the Resolution of last year.

On motion, the House resolved itself into a Committee of the whole House, on the further consideration of a Supply.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had made further progress in the business to them referred; and that the Committee had directed him to move for leave to sit again on the further consideration of a Supply; which report the House agreed to.

On motion, *resolved*, that a conference be desired with the Council, by Committee, on the subject of Roads and Bridges, and that the Clerk do request the same.

*Ordered*, That Mr. Archibald, Mr. Bolman, Mr. Dimeck, Mr. Morton, Mr. Collins, Mr. Crane and Mr. Ritchie do manage the said conference.

On motion, *ordered*, That the several Resolutions for granting monies, which passed this House, on the 8th instant, be sent to His Majesty's Council for their concurrence.

Mr. Hutchinson reported from the Committee of Privileges, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

That



That at his Excellency the Lieutenant Governor, in his answer to the Address of this House of the fourteenth instant, has signified that the claim of the House of Assembly relative to new writs of election appears to be subversive of the powers vested in the Governor by his Majesty's Royal Instructions and Commission; and as the House by its Committee, has had recourse to the Secretary's Office, for inspecting the Royal Commission, and has been informed that it is in the possession of his Excellency; the Committee therefore recommend that the House make application to his Excellency, for a copy of that part of the Royal Instructions and Commission, to which his Excellency was pleased to refer: and thereupon

On motion, *resolved*, that the Committee on the subject of the Licence Duty Accounts for Halifax, do wait on his Excellency the Lieutenant-Governor, and make the application to his Excellency, agreeable to the foregoing report of the Committee of Privileges.

On motion the House resolved itself into a Committee of the whole House on the consideration of a Bill to encourage the fitting out of vessels in this Province, for carrying on the Bank and Cod Fisheries.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to them referred, and that the Committee had directed him to report the said Bill without any amendment; and he afterwards delivered the Bill in at the Clerk's Table.

*Ordered*, That the Bill be engrossed.

Then the House adjourned until Monday at Eleven of the Clock.

Monday, 25th January, 1808.

#### PRAYERS.

A Bill to continue in force the several Acts therein-mentioned; was read a second time.

*Resolved*, That the Bill be committed to a Committee of the whole House.

Mr. Archibald reported further from the Committee on the expiring Laws, and accordingly presented a Bill to revive and continue certain Acts of this Province, relating to the Militia; and the same was read a first time.

*Resolved*, That the Bill be read a second time.

An engrossed Bill to encourage the fitting out of vessels in this Province, for carrying on the Bank and Cod Fisheries; was read the third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to encourage the fitting out of vessels in this Province, for carrying on the Bank and Cod Fisheries.

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence to the same.

Mr. Morton reported from the Committee to whom the account of David Thompson

son was referred; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

That the Committee have examined the said account; find the services therein stated, to have been performed under a proclamation of quarantine, and therefore recommend that the amount thereof be paid to Mr. Thompson.

*Ordered*, That the report be referred to the Committee of Supply.

Mr. Lawson reported from the Committee appointed to wait on his Excellency the Lieutenant-Governor, on the subject of the Licence Duty Accounts, that his Excellency had been waited on accordingly, and that he was pleased to inform the Committee, that he had directed the Treasurer of the Province to prepare the said accounts and lay them before this House; that the Treasurer had waited upon his Excellency in consequence thereof, and informed him that owing to the death of Mr. William Lyon, one of the Commissioners for repairing the streets in the town of Halifax, who had blended in his accounts, the statute labour with the licence money, great difficulty attended the adjustment of the said accounts, and that he had not time at present to make them up. His Excellency further stated, that the Law of the Province directs the accounts of the expenditure of the licence duty, to be laid before the Grand Jury for the county of Halifax, in March, annually, to be audited by them, and that the said accounts should be prepared in time for that purpose.

A Message from the Council, by Mr. Gautier:

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act in further amendment of an Act made in the second year of his present Majesty's reign, entitled, An Act for regulating the exportation of Fish, and the assize of Barrels, Staves, Hoops, Boards and all other kinds of Lumber, and for appointing Officers to survey the same; and also,

The Bill entitled, An Act to encourage the raising Bread Corn on new Lands; severally, without any amendment.

The Council have agreed to the Bill entitled, An Act to encourage the Fisheries of this Province, by granting a bounty on the importation of Salt, with an amendment; and also,

The Bill, entitled, An Act to amend and continue an Act passed in the 47th year of His present Majesty's reign, entitled, An Act to regulate the expenditure of monies hereafter to be appropriated for the service of Roads and Bridges; with several amendments, to which they desire the concurrence of this House.

And then the Messenger withdrew.

On motion the House resolved itself into a Committee of the whole House on the consideration of the Bill to continue in force the several Acts therein mentioned.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to them referred, and had made several amendments thereunto; which they had directed him to report to the House; and he afterwards delivered the Bill, with the amendments, in at the Clerk's Table.

The said amendments were read throughout a first and second time, and upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the Bill, with the amendments, be engrossed.

The House proceeded to take into consideration the amendments made by the Council to the Bill relative to the expenditure of monies for Roads and Bridges ; the same were read ; and thereupon,

*Resolved*, That a conference be desired with the Council, by Committee, on the subject of the said amendments, and that the Clerk do request the same.

*Ordered*, That Mr. Tonge, Mr. Mortimer, and Mr. Robie, do manage the said conference

The House proceeded to take into consideration the amendment made by the Council to the Bill to encourage the Fisheries of this Province, by granting a bounty on the importation of Salt ; and the same being read throughout a first and second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That the Clerk do carry the said Bill to the Council, and acquaint them this House has agreed to the amendment made by them to the same.

Mr. Robie, pursuant to leave given, presented a Bill to revive, alter and continue the several Acts for laying a duty on persons hereafter to be licensed for the retail of Spirituous Liquors, &c. and the same was read a first time.

*Resolved*, That the Bill be read a second time.

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

Tuesday, 26th January, 1808.

PRAYERS.

A Bill to revive and continue certain Acts of this Province, relating to the Militia ; and also,

A Bill to revive, alter and continue, the several Acts for laying a duty on persons hereafter to be licensed for the retail of Spirituous Liquors, &c. were severally read a second time.

*Resolved*, That the Bills be committed to a Committee of the whole House.

Mr. Secretary Wentworth, acquainted the House, that he had a Message from his Excellency the Lieutenant Governor, to this House, signed by his Excellency, and he presented the said Message to the House.

And the said Message was read by Mr. Speaker, all the Members being uncovered, and is as follows :

*Gentlemen of the House of Assembly,*

THE present state of public affairs, rendering it our duty to be prepared to meet any change from our peaceable occupations ; it will be necessary to provide means for the due care, preservation and repair, of Arms, Ammunition and Accoutrements in different Districts of the Province, for the use of our Militia, who, upon all occasions, uniformly manifest a noble determination to defend their Country, and greatly merit our thanks and liberal exertions for their comfort. I am therefore now to recommend a vote of credit be granted, not exceeding four hundred and fifty pounds, to enable the Lieutenant-Governor to provide for the care and preservation of Arms and Equipments, and also to procure warm Cloathing for a third battalion

of embodied Militia, called into actual service conformable to His Majesty's commands. For this latter service a similar vote of credit will be expedient, not exceeding nine hundred pounds.

J. WENTWORTH.

*Ordered*, That the said Message do lie on the Table to be perused by the Members.

Mr. Mortimer reported from the Committee to whom the accounts of Caleb Forsyth and Daniel Dewolf, and also the contract of John M'Monagle, were referred; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

That it appears to the Committee, that there were no Monies provided for the services referred to in those papers; no Vouchers, that the contracts entered into by John M'Monagle, have been executed; he has in his hands Fifteen Pounds of the vote of last year, which should have been expended on the same road; the Committee therefore recommend the suspension of Mr. M'Monagle's claim for the present. It further appears to the Committee that Messrs. Dewolf and Forsyth, have faithfully expended the sums claimed by them; they therefore recommend that they be allowed the amount out of the proportion of the road money for King's County, granted this Session.

*Ordered*, That the report do lie on the Table.

A Message from the Council by Mr. Gautier.

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act to encourage the Fisheries of this Province, by granting a bounty on the importation of Salt, and also

To the Bill, entitled, An Act to continue in force the several Acts therein mentioned severally, without any amendment.

The Council have agreed to five resolutions of this House for granting the following sums, viz.

£.26 7 6, to Ebenezer Crosby.  
 £.115 1 4, to Rufus G. Taylor.  
 £.79 12 6, to Jonathan Tremain and John Tremain.  
 £.23 6 0, to Alexander Henry.  
 £.50 0 0, for the relief of indigent Debtors.

The Council have not agreed to the Bill, entitled; An Act to encourage the fitting out of vessels in this Province, for carrying on the Bank and Cod Fisheries.

The Council agree to the conference on the subject of roads and bridges, and also on the Bill, relative to the expenditure of monies for roads and bridges as desired by this House immediately in the Committee room of the Council.

And then then the Messenger withdrew.

*Ordered*, That the Managers appointed to confer with the Council on the subject of roads and bridges, do attend at the conference.

And the names of the Managers were called over.

And they went to the conference, accordingly.

And being returned,

Mr. Archibald reported that the Managers had been at the conference and stated the substance of the conference to the House.

Mr. Lawson reported from the Committee appointed to wait on his Excellency the Lieutenant Governor, agreeable to the Resolution of Saturday last, that they had waited

waited on his Excellency accordingly, and that his Excellency had been pleased to give them a written answer, as follows :

GENTLEMEN,

HIS Majesty's Commission and Instructions remain in the custody of the Governor, for his guidance and direction, and cannot be communicated to the Assembly as a matter of right. I have already directed copies of such part of the Instructions as respect your Legislative duties to be communicated to you, and until it appears to me that His Majesty's service requires it, I can make no further communication.

J. WENTWORTH.

On motion, the House resolved itself into a Committee of the whole House, on the consideration of the several Bills which stood committed.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the Bill to revive and continue certain Acts of this Province, relating to the Militia ; and also the Bill to revive, alter and continue, the several Acts for laying a duty on persons hereafter to be licensed for the retail of Spirituous Liquors, &c. and that the Committee had directed him to report the said Bills, severally, without any amendment, and he afterwards delivered the Bills in at the Clerk's Table.

*Ordered*, That the Bills be engrossed.

*Ordered*, That the Managers appointed to confer with the Council on the Bill relative to the expenditure of monies for Roads and Bridges, do hold said conference.

And the names of the Managers were called over.

And they went to the conference accordingly.

And being returned,

Mr. Tonge reported that the Managers had been at the conference, and stated the substance of the conference to the House.

Mr. Robie moved, that the Bill to impose an additional duty on Wine imported into this Province, to provide for the better support of the Poor for the town of Halifax, be re-committed to a Committee of the whole House ; which being seconded and put, and the House dividing thereon, there appeared, for the motion, nine ; against it, fifteen : so it passed in the negative.

*Ordered*, That the said Bill be engrossed.

*Ordered*, That such part of the report on the expenditure of monies granted for Roads and Bridges, which relates to compensation to Commissioners, be referred to the Committee of Supply.

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

Wednesday, 27th January, 1808.

PRAYERS.

An engrossed Bill to revive, alter and continue the several Acts for laying a duty on persons hereafter to be licensed for the retail of Spirituous Liquors, &c. was read a third time.

*Resolved*,

*Resolved*, That the Bill do pass, and that the title be, An Act to revive, alter and continue, an Act, passed in the 39th year of his present Majesty's Reign, entitled, An Act for raising a revenue to repair the Roads throughout the Province, by laying a duty on persons hereafter to be licenced, to keep public Houses or Shops for the retail of Spirituous Liquors, and for regulating such public Houses and Shops. also, the Act passed in the 40th year of his Majesty's reign, in amendment of the above recited Act; also, an Act passed in the 41st year of his Majesty's reign, entitled, An Act in addition to and amendment of the above recited Act; also the Act passed in the 46th year of his Majesty's reign, entitled, An Act in addition to and in amendment of the above recited Act.

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence to the same.

An engrossed Bill to revive and continue certain Acts of this Province, relating to the Militia; was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to revive and continue certain Acts of this Province, relating to the Militia.

An engrossed Bill to impose an additional duty on Wine, imported into this Province, to provide for the better support of the Poor of the Town of Halifax, &c. was read the third time.

A Message from the Council by Mr. Gautier :

Mr. Speaker,

The Council have agreed to two resolutions of this House for granting the following sums, viz.

£.323 For the Bridge over Bear river.

£.30 For the Causeway near Allen's Creek.

The Council request a further conference, by Committee, on the subject of Roads and Bridges, immediately, in the Committee room of the Council.

And then the Messenger withdrew.

*Resolved*, That this House doth agree to the conference as desired by the Council, and that the Clerk do acquaint the Council therewith.

*Ordered*, That the Managers who managed the last conference, do manage this conference.

And the names of the Managers were called over.

And they went to the conference, accordingly.

And being returned,

Mr. Archibald reported that the Managers had been at the conference and stated the substance of the conference to the House.

Mr. Pearson moved, that the Bill to impose an additional duty on Wine imported into this Province, to provide for the better support of the Poor of the town of Halifax, &c. be now re-committed to a Committee of the whole House; which, being seconded and put, passed in the affirmative, and thereupon,

The House resolved itself into a Committee of the whole House, on the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Pool took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to them referred; and had made several amendments thereunto; which they had directed him to report to the House; and he afterwards delivered the Bill, with the amendments, in at the Clerk's Table.

The said amendments were read throughout a first and second time, and, upon the question severally put thereupon, agreed to by the House.

*Ordered*; That the Bill be engrossed.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have agreed to the Bill entitled, An Act to revive, alter and continue, an Act passed, in the 39th year of His present Majesty's reign, entitled; An Act for raising a revenue to repair the Roads throughout the Province, by laying a duty on persons hereafter to be licensed to keep public Houses or Shops, for the retail of Spirituous Liquors, and for regulating such public Houses and Shops; also an Act, passed in the 40th year of his Majesty's reign, in amendment of the above recited Act; also an Act passed in the 41st year of his Majesty's reign, entitled, An Act in addition to, and amendment of the above recited Act; and also the Act, passed in the 46th year of his Majesty's reign, entitled, An Act in addition to, and in amendment of the above recited Act, without any amendment.

And then the Messenger withdrew.

Mr. Robie reported from the Committee to whom the accounts of Michael Wallace, John Merrick, and others were referred; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

That the Committee are of opinion, that at this late period of the Session when the business is nearly drawn to a close, it is inexpedient to go into an investigation of those accounts, which should, in their opinion, have been laid before the House at an earlier period. And in order in future to prevent similar applications, at so late a period of the Sessions, the Committee recommend to the House, to pass a resolve that no private account or petition shall in future be taken into consideration, unless the same shall be presented within the first fourteen days of the Sessions; and that such resolve, together with the resolution of the House passed the last Sessions, relative to public accounts, be printed in the Royal Gazette, for the information of all concerned.

*Ordered*, That the report do lie on the Table.

On motion the House resolved itself into a Committee of the whole House, to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had made further progress in the business to them referred; and that the Committee had come to several Resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

*Resolved*, That it is the opinion of this Committee, that the sum of £.18<sup>1</sup> 3, should

should be granted to John Legett, as a compensation for his exertions in saving a quantity of Brandy from the American brig Sally, that was wrecked near Country Harbor, by which duties to the amount of £.186.12.6, were secured to the Province.

*Resolved,* That it is the opinion of this Committee, that the sum of £.25, should be granted to John Hall, in full satisfaction for a public highway, four rods wide, through his land, from the upper bridge on the river Shubenacadie, to the main road leading from Colchester to Halifax, upon a survey and plan of the same being made and signed by him, and entered of record in the Court of General Sessions of the Peace in the county of Halifax.

*Resolved,* That it is the opinion of this Committee, that the sum of £.50 should be granted for the main road from the village of Noel to the scite of the old bridge, over the Kenetcook river in Douglas.

*Resolved,* That it is the opinion of this Committee, that a sum of £.180, granted in a former Session of Assembly, for the purchase of Hemp Seed, and remaining undrawn from the Treasury, be applied to build, by contract, and finish, a Stone Magazine on the Commons of Halifax, for containing gun-powder, belonging to the Province, or imported by the Merchants.

*Resolved,* That it is the opinion of this Committee, that the sum of £.15 should be granted to David Thompson, for his services as health-officer for the port of Halifax, between the 25th July, and the 20th October, 1806, per account.

*Resolved,* That it is the opinion of this Committee, that the sum of £.25 should be granted to Joseph Apline, Esq. for his services for drafting Bills for the House of Assembly, in the present Session.

*Resolved,* That it is the opinion of this Committee, that the sum of £.100 should be granted (in addition to the balance of last year's vote) to enable the President of His Majesty's Council, and the Speaker of the House of Assembly, to new roof the old Government-House, or make such repair as may be required.

*Resolved,* That it is the opinion of this Committee, that there should be granted and paid from the Treasury the sum of £.3.10, for each Defeater from his Majesty's Army or Navy, who shall be apprehended and secured between the 1st day of February and the 31st day of December next, to be paid to the person or persons by whom any such Defeater shall be apprehended and secured, on his, or their, production of a certificate that the bounty granted by His Majesty has been paid for the said service: provided the monies hereby granted shall not exceed £.300 and shall be accounted for to the next Session of the General Assembly.

*Resolved,* That it is the opinion of this Committee, that the sum of £.25 should be granted to assist the Inhabitants of Onslow and Truro, in making a new road from Truro, to the north river, which becomes necessary by the alteration of the scite of the bridge over the said river.

*Resolved,* That it is the opinion of this Committee, that the sum of £.25, should be granted, to assist in re-building the bridge over the north river in Onslow; which has been carried away by an uncommon flood.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again on the consideration of a Supply.

The said report and resolutions were read throughout a first and second time, and thereupon,

Mr. Haliburton moved that the House do not agree to the foregoing Resolution for granting twenty-five pounds for a new road from Truro to the North river; which



which, being seconded and put, and the House dividing thereon, there appeared for the motion, nine; against it, ten: so it passed in the negative.

The Resolutions as reported from the Committee, were then put to the House, and upon the question, severally thereupon, agreed to.

*Ordered*, That the Clerk do carry the foregoing Resolutions to the Council, and desire their concurrence to the same.

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

Thursday, 28th January, 1808.

PRAYERS.

On motion of Mr. Shaw, *resolved*, that a Committee be appointed to wait upon his Excellency the Lieutenant Governor, to submit to him the expediency of relinquishing the plan of erecting a Stone Light House on Briar Island, and building one of Wood.

*Ordered*, That Mr. Shaw, Mr. James, and Mr. Collins be a Committee for the above purpose.

An engrossed Bill to impose an additional duty on Wine imported into this Province, for the better support of the poor of the town of Halifax, &c. was read the third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to impose and appropriate an additional duty on Wine imported into this Province.

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence the same.

On motion, *resolved*, that all private accounts or petitions ought to be presented to this House within the first fourteen days of the Sessions of General Assembly; and that unless such accounts or petitions are delivered within that period; the House will not take the same into consideration at such Sessions.

*Ordered*, That the above resolution together with the resolution of the last Session, relative to public accounts be printed in the next Royal Gazette, and continued six weeks.

A Message from the Council, by Mr. Gautier:

Mr. Speaker,

The Council have not agreed to two resolutions of this House for granting the following sums, viz.

£.75, for the road from Barrington to Pubnico.

£.70, for the road from Liverpool to Port Mutton.

The Council request a conference, by Committee, on the subject of the Bill, entitled, An Act to impose and appropriate an additional duty on Wine imported into this Province.

And then the Messenger withdrew.

*Resolved*, That the House doth agree to the conference as requested by the Council, and that the Clerk do acquaint the Council therewith.

*Ordered*, That Mr. Robie, Mr. Pearson, and Mr. Hutchinson, do manage said conference.

And

And the names of the Managers were called over.

And they went to the conference.

And being returned,

Mr. Robie reported that the Managers had been at the conference, and stated the substance of the conference to the House.

*Ordered*, That Mr. Baker, and Mr. Wells be added to the Committee of Privileges, in the room of Mr. Roach and Mr. Ritchie.

On motion, *resolved*, That a further conference be desired with the Council, on the subject matter of the last conference, and that the Clerk do request the same.

The Clerk reported that the Council had agreed to the conference as desired by the House.

*Ordered*, That the Managers who managed the last conference, do manage this conference.

And the names of the Managers were called over.

And they went to the conference.

And being returned,

Mr. Robie reported that the Managers had been at the conference, and stated the substance of the conference to the House.

On motion, *resolved*, that a further conference be desired with the Council, by Committee, on the subject of Roads and Bridges, and that the Clerk do request the same.

On motion, the House proceeded to take into consideration the message of his Excellency the Lieutenant Governor to this House, of the 16th instant, on the subject of a grant of monies for the service of the Militia, and the same was read by the Clerk, and thereupon.

On motion of Mr. Tonge, *resolved*, that it will be expedient to grant a sum of money for defraying the expence of conveying Arms and Ammunition for the use of the Militia to the different parts of the Province, for providing depots for such Arms and Ammunition, and for forming suitable establishments for keeping such Arms in good order and repair. The warrants for such sum, to be drawn in favor of the Adjutant General of the Militia, who shall account for the expenditure thereof, at the next Session of the General Assembly.

On motion of Mr. Haliburton, *resolved*, that it will be expedient to grant a sum of money, for providing suitable great Coats, for the third Battalion of embodied Militia, now doing duty in this Province, to be expended and accounted for in such manner as shall be agreed on by the Legislature.

*Ordered*, That the foregoing Resolutions be referred to the Committee of Supply.

A Message from the Council by Mr. Gautier :

Mr. Speaker,

The Council have agreed to six resolutions of this House for granting the following sums, viz.

£.18 1 3, to John Leggett,

£.180 0 0, for a Magazine for Gunpowder,

£.25 0 0, to Joseph Apline,

£.15 0 0, to David Thompson,

£.100 0 0, for the Old Government House,

£.300 0 0, for apprehending deserters from the Navy and Army.

The Council have not agreed to two resolutions of this House for granting the following sums, viz.

£.25 0 0, to John Hall,

£.50 0 0, for the road from Noel, to the old bridge on Kenetcook river.

The Council have agreed to the Bill entitled, An Act to impose and appropriate an additional duty on Wine imported into this Province, with several amendments, to which they desire the concurrence of this House.

The Council agree to the conference, on the subject of Roads and Bridges, as defined by this House; immediately, in the Committee Room of the Council.

And then the Messenger withdrew.

On motion, *resolved*, that the Clerk do carry the Bill to impose and appropriate an additional duty on Wine imported into this Province; back to the Council, and inform them that this House cannot receive any amendments to the said Bill, from the Council, it being a Money Bill.

*Ordered*, That the Managers who managed the last conference, on Roads and Bridges, do manage this conference.

And the names of the Managers were called over.

And they went to the conference.

And being returned,

Mr. Mortimer reported that the Managers had been at the conference, and stated the substance of the conference to the House.

On motion, the House resolved itself into a Committee of the whole House, to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that the Committee had directed him to move for leave to sit again on the consideration of a Supply; which report the House agreed to.

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

Friday, 29th January, 1808.

PRAYERS.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have agreed to four resolutions of this House, for granting the following sums, viz.

£.25 0 0, to Robert King.

£.25 0 0, to Henry Card.

£.30 0 0, for a settler at the West Branch of St. Mary's river.

£.30 0 0, for a ditto, at the East Branch of St. Mary's river.

The Council have not agreed to four resolutions of this House, for granting the following sums for roads and bridges, viz :

£.200

£200 0 0, for the road from the district line of Colchester and Pictou, to John M'Cabe's.

£50 0 0, for a bridge over the middle river of Pictou.

£80 0 0, for the road from Antigonishe, to the Forks of St. Mary's river.

£150 0 0, for the road from Liverpool to the half way tree, on the Nictaur road.

And then the Messenger withdrew.

Mr. Shaw reported from the Committee appointed to wait on his Excellency the Lieutenant Governor, on the subject of a Light House to be erected on Briar Island, that the Committee had waited on his Excellency; who was pleased to inform the Committee that he preferred stone for all public buildings, but in consideration of the present state of the Province; and as he was desirous to meet the wishes of the House of Assembly, he would relinquish the plan for a Stone building; and would take the proper steps for the erection of a Light House of Wood, on the said Island. His Excellency further said that the Province of New-Brunswick, would have no controul over the said building, and that the land to be purchased from individuals for the site of the Light House, would be the property of this Province.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have appointed a Committee, to join with a Committee of this House, to take into consideration the expediency of erecting a Light House at Canso, &c. which Committee are ready to meet the Committee of this House, on the said subject immediately.

And then the Messenger withdrew.

On motion, *ordered*, that Mr. Hutchinson be added to the Committee of this House, on the foregoing subject, and that the said Committee do attend the Committee of Council accordingly.

On motion the House resolved itself into a Committee of the whole House, to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had made further progress in the business to them referred; and that the Committee had come to several Resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

*Resolved*, That it is the opinion of this Committee, that a sum not exceeding four hundred and fifty pounds should be granted for defraying the expence of conveying Arms and Ammunition for the use of the Militia, to the different parts of the Province; for providing suitable places of deposit for such Arms and Ammunition; and for keeping such Arms in good order and repair; and that the Governor, Lieutenant-Governor, or Commander in Chief, shall draw by Warrant on the Treasury, for the said sum, or such part thereof as he shall think necessary, in favor of the Adjutant-General of the Militia, who shall apply the same to the purpose above named;

Sarned, and no other; and shall account for the expenditure thereof at the next Sessions of the General Assembly.

*Resolved,* That it is the opinion of this Committee, that a sum not exceeding nine hundred pounds should be granted for purchasing Great Coats, or other suitable Clothing, for the non-commissioned Officers and Privates of the third battalion of embodied Militia, who are now, or shall be, ordered on duty in this Province, before the first day of May next; which sum shall be drawn from the public Treasury, by Warrant from the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, in favor of such person or persons as his Excellency shall appoint to expend the same, who shall produce to the General Assembly in their next Session, the accounts and vouchers for the expenditure thereof.

*Resolved,* That it is the opinion of this Committee, that the sum of Fifty pounds, should be granted to James Ratchford and James Noble Shannon, for the encouragement of a Packet, to run between Windsor, and Partridge Island, under such regulations as may be made and ordered by the Justices in Session for the County of Hants, for the ensuing year.

*Resolved,* That it is the opinion of this Committee, that the sum of forty nine pounds nineteen shillings, should be granted to Daniel Dewolf and Caleb Forfyth, in full of their demands for fundry repairs made to the bridges over the river Gasperreau, and the half way river in the Township of Horton, per account.

*Resolved,* That it is the opinion of this Committee, that the sum of twenty two pounds should be granted, to aid the inhabitants to complete the repairs of the bridge over Sciffabou- river, on the main road between Digby and Yarmouth, in the county of Annapolis.

*Resolved,* That it is the opinion of this Committee, that the sum of twenty five pounds should be granted for improving that part of the road leading through the township of Wilmot, between the house of Theodocius Palmer, and S. Gouger in the county of Annapolis.

*Resolved,* That it is the opinion of this Committee, that the sum of seventy five pounds should be granted to repair the road from Lunenburg to Cock's mill, at Lahave Falls, leading to Nictaur.

*Resolved,* That it is the opinion of this Committee, that the sum of thirty pounds should be granted for the road from Partridge Island, to Lewis's, on the main road to Cumberland.

*Resolved,* That it is the opinion of this Committee, that the sum of fifteen pounds should be granted for the main road from Harrington's farm, to Pineo's, leading to Annapolis.

*Resolved,* That it is the opinion of this Committee, that the sum of one hundred pounds should be granted for the road from Liverpool Falls, to the Half way tree, on the Nictaur road,

*Resolved,* That it is the opinion of this Committee, that the sum of one hundred and fifty pounds should be granted to repair the main road leading from Halifax to Pictou, from the district line, dividing Colchester from Pictou, to John M<sup>c</sup>Cabe's.

*Resolved,* That it is the opinion of this Committee, that the sum of fifty pounds should be granted to assist the inhabitants of Pictou to rebuild a bridge over the middle river, in addition to the sum of twenty-five pounds, already granted for that purpose.

*Resolved,* That it is the opinion of this Committee, that the sum of twenty-five pounds should be granted to improve the main road from Halifax to Windsor, commencing

terminating at the seven mile plain, and ending at the three mile plain in Windsor.

*Resolved,* That it is the opinion of this Committee, that the sum of twenty-five pounds should be granted to improve the main road from Halifax, at Lawrence's lake, to the Newport road at Brown's.

*Resolved,* That it is the opinion of this Committee, that the sum of seventy-five pounds should be granted to repair the Gut bridge, on the main road leading from Halifax to Pictou.

*Resolved,* That it is the opinion of this Committee, that the sum of forty pounds should be granted to repair the road from Michael Cunningham's, at Antigonishe, to George Irish's, leading to Blanchard's grant.

*Resolved,* That it is the opinion of this Committee, that the sum of forty pounds should be granted for the road from the Indian Gardens to Malignant Cove.

*Resolved,* That it is the opinion of this Committee, that the sum of forty-five pounds should be granted for the road from Herring Cove bridge, to Salmon Island bridge in Liverpool.

*Resolved,* That it is the opinion of this Committee, that the sum of thirty-five pounds should be granted for the road from the Town of Liverpool to the Falls of Liverpool.

*Resolved,* That it is the opinion of this Committee, that the sum of fifty pounds should be granted for the road from one mile beyond the Herring Cove bridge, by Mill Village bridge, in Queen's county, towards the bounds of Lunenburg county.

*Resolved,* That it is the opinion of this Committee, that the sum of fifty pounds should be granted for the road from Liverpool to Port Mutton.

*Resolved,* That it is the opinion of this Committee, that the sum of forty pounds should be granted for the road from Josiah Forbes's to Paul Surat's, on the main road from Abobtick river, towards Tusket bridge.

*Resolved,* That it is the opinion of this Committee, that the sum of thirty-five pounds should be granted for the road from Salmon river bridge, (on the road from Tusket river to Yarmouth) to Jabouge river in the township of Yarmouth.

*Resolved,* That it is the opinion of this Committee, that the sum of thirty pounds two shillings, should be granted for compensating the undermentioned Commissioners of roads, for their services in expending the several sums as specified and recommended by the Committee of the House in their report, to be paid to each and every of the said Commissioners in manner following, viz :

Five pounds to James M'Curdy.

Ten pounds to John Ruggles.

Five pounds five shillings to John Morehouse.

Three pounds to William Parker.

Six pounds seven shillings to Robert Fitz-Randolph and John Ruggles.

Two pounds ten shillings to Abel Beel.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again on the consideration of a Supply.

The foregoing resolutions were read throughout a first and second time, and, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That the Clerk do carry the foregoing Resolutions to the Council, and desire their concurrence to the same.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have agreed to two resolutions of this House for granting the following sums, viz.

£.450 0 0, for conveying Arms, &c. for the Militia.

£.900 0 0, for Clothing for the Militia.

And then the Messenger withdrew.

Mr. Mortimer reported from the Committee on the subject of erecting a Light House at Canso, that they had, pursuant to the order of the House, held a conference with the Committee of His Majesty's Council respecting the same.

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

Saturday, 30th January, 1808.

PRAYERS.

A Message from the Council by Mr. Gautier :

Mr. Speaker,

The Council have agreed to ten resolutions of this House, for granting the following sums, viz:

£.50 0 0, for the Parrsborough Packet.

£.49 19 0, to Daniel Dewolf and Caleb Forfyth.

£.5 0 0, to James M'Curdy.

£.10 0 0, to Jon Ruggles.

£.5 5 0, to John Morehouse.

£.6 7 0, to Robert Fitz Randolph and John Ruggles.

£.2 10 0, to Abel Beel.

£.3 0 0, to William Parker.

£.50 0 0, for a bridge over middle river of Pictou.

£.100 0 0, for the road from Liverpool Falls, to the half way tree on the Niagara road.

And then the Messenger withdrew.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council request a conference by Committee on the subject of the Bill, entitled, An Act to impose and appropriate an additional duty on Wine imported into this Province.

And then the Messenger withdrew.

*Resolved*, That this House doth agree to the conference as desired by the Council, and that the Clerk do acquaint the Council therewith.

*Ordered*, That Mr. Hutchinson, Mr. Pearson, and Mr. Dimock do manage the said conference.

And they went to the conference.

And being returned,

Mr. Hutchinson reported that the Managers had been at the conference, and that they had received from the Committee of His Majesty's Council, a written paper, which he read to the House, and is as follows, viz :

The Council are not a little surpris'd that the House should have thought proper to return the Bill for laying the additional duty on Wine, because the Council requested an amendment in a clause of regulation only, without touching either the tax or its appropriation.

appropriation, especially as the Council, to avoid contention, had previously informed the House, by their Committee of conference, of the alteration they wished to have made in the clause, and could not expect that the House would except to the mode adopted, after they had, in this very Session, agreed to the Bill for providing funds for the establishment of free schools; after an amendment made by the Council in a regulating clause thereof.

The House must be aware that no branch of the Legislature can establish rules or make precedents for the other, each being independent of the others, regulates its own conduct as to the business before it.

The Wine Duty Bill being calculated to provide a fund for the Poor, the amendment proposed by the Council, had for its object the change of a part of the Bill, which there was reason to fear would prevent its being assented to by the Lieutenant Governor, because, unless the alteration proposed should be adopted, his Excellency would be deprived of a right, of which, in the opinion of Council, he is properly tenacious—that of nominating and appointing all Executive Officers.

The Council wish to have it clearly understood, that they have no objection to the Gentlemen named, but to the nomination making part of the Bill, and if the House should be disposed to leave out the clause respecting the appropriation for the Bridge and Road altogether, and let the whole stand for the support of the Poor, or to adopt any other arrangement not detrimental to the Poor Fund the Council will gladly concur.

On motion, *resolved*, that an answer be prepared to the above written paper received from the Council.

*Ordered*, That the Managers who held the conference, with Committee of Council, do prepare and bring in an answer accordingly; and that Mr. Haliburton be added to the Managers.

Mr. Haliburton reported from the Committee appointed to enquire into the state of the Old Government-House, with the adjacent Buildings, &c. and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

That the Committee have examined the fences around the grounds, and find them in a very ruinous state. That the garden is large and valuable, the use of which the Committee recommend should be given for one or two years to some careful person, who would undertake to put up the fences around the same, and in front of the buildings, and keep the same in repair. That the building at the north west corner of the lot is large and commodious, and might easily be fitted up for public offices for the Secretary of the Province, the Collector of Impost and Excise, and the Clerk of the Crown, for which purpose the Committee submit to the consideration of the House, the plan hereto annexed, and also the propriety of agreeing to the appropriation of a sum not exceeding four hundred pounds, for completing the same. The Committee are further of opinion, that the sum provided for the repair of the principal building for the ensuing year, is fully adequate to that service; as it will not be necessary to make extensive repairs to the same.

*Ordered*, That the Report do lie on the Table.

Mr. Hutchinson reported from the Managers on the subject of the conference with the Council, and accordingly presented an answer to the written paper, received from



from the Council in conference this day, which he read in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

The House of Assembly returned to his Majesty's Council the Bill for laying the additional duty on Wine, because the Council had proposed an amendment to it, to which the House could not agree.

The House conceives that there is a wide difference between Bills of aid and supply, such as the one in question certainly is, and those which are not for a special grant of supply, but which impose pecuniary burthens on the people, in which latter class the Bill for the establishment of Schools is to be ranked, in the former, the House would not be inclined to agree to any amendments, which his Majesty's Council might be disposed to make, but in the latter the House would not dispute the right of his Majesty's Council, to propose amendments, provided the Council, did not make any alterations in the quantum of the money to be raised, in the disposition or duration of the Tax, or in the persons, Collectors or Commissioners, appointed to manage it ; as none of the amendments proposed by his Majesty's Council to the School Bill, affected it in any of these respects, the House readily adopted those amendments.

The House claims no right whatever of establishing rules or making precedents for the other branches of the Legislature, nor has it in the present instance deviated from the precedents established in the parent State.

The House was disposed to have continued the application of the Wine Duty to the usual purposes, if His Majesty's Council had agreed to regulate the institution, to support which that duty was raised, but the intention of the House was defeated by the refusal of the Council to adopt the regulations proposed by the House, and which, in their opinion, would have rendered the institution a public benefit. The House cannot concur in opinion with His Majesty's Council, that the present Bill would deprive his Excellency the Lieutenant Governor of any of his rights ; for although the Lieutenant Governor has undoubtedly the exclusive right of appointing the executive officers of the Provincial Government, with which this House would not presume to interfere, yet the House are perfectly satisfied that the same does not extend to the nomination of persons appointed to expend the monies raised on the people, and applied to specific purposes.

*Resolved*, That a further conference be desired with the Council, on the subject matter of the last conference, and that the Clerk do request the same.

The Clerk reported that the Council had agreed to the conference as desired by this House, immediately, in the Committee Room of the Council.

*Ordered*, That the Managers who managed the last conference, do manage this conference, and that they also deliver to the Committee of the Council, the foregoing answer to the written paper received by them in conference.

And the names of the Managers were called over.

And they went to the conference.

And being returned,

Mr. Hutchinson reported that the Managers had been at the conference, and also had obeyed the order of the House, in delivering to the Committee of Council the answer of this House to the paper received from them this day.

Then the House adjourned until Monday at Eleven of the Clock.

Monday,

Monday, 1st February, 1808.

PRAYERS.

Mr. Gautier, Deputy Secretary, acquainted the House, that he had a Message from his Excellency the Lieutenant Governor to this House, signed by his Excellency; and he presented the said Message to the House.

And the said Message was read by Mr. Speaker; all the Members being uncovered; and is as follows:

*Gentlemen of the House of Assembly,*

HAVING fully considered the vote communicated to me for granting one hundred pounds to Vice-Admiral *Berkeley*, for a Sword or piece of Plate, it appears to me objectionable in so many respects, that I feel it my duty to decline giving my assent to it.

J. WENTWORTH.

*Ordered*, That the Message do lie on the Table to be perused by the Members of the House.

A Message from the Council, by Mr. Gautier:

Mr. Speaker,

The Council have agreed to fix resolutions of this House, for granting the following sums for roads and bridges, viz:

£.22 for the bridge over Sciffabour river.

£.30 for the road from Partridge island to Lewis's.

£.15 for the road from Harrington's to Pineo's.

£.150 for the road from the district line of Pictou, to John M'Cabe's.

£.25 for the road between the Seven Mile Plain and the Three Mile Plain in Windsor,

£.25 for the road at Lawrence's lake, to the Newport road, at Brown's.

And then the Messenger withdrew.

On motion, *resolved*, that this House do not agree to the amendments made by the Council to the Bill, entitled, An Act to amend and continue an Act, passed in the 47th year of His present Majesty's reign, entitled, An Act to regulate the expenditure of monies hereafter to be appropriated for the service of Roads and Bridges.

*Ordered*, That the Clerk do carry the Bill above-mentioned to the Council, and acquaint them that this House do not agree to the amendments made by them to the same.

A Message from the Council, by Mr. Gautier:

Mr. Speaker,

The Council have not agreed to eleven resolutions of this House for granting the following sums, viz:

✓ £.25 for the road between Palmer's and Gouger's in Wilmot

✓ £.75 for the road from Cock's mill to Nictaur.

✓ £.75 for the Gut bridge, on the road to Pictou.

✓ £.40 for the road from Cunningham's to Irish's, in Antigonishie.

✓ £.40 for the road from the Indian Gardens to Malignant Cove.

- ✓ £.45 for the road from Hering Cove bridge, to Salmon Island bridge.
- ✓ £.35 for the road from Liverpool to the Falls of Liverpool.
- ✓ £.50 for the road by Mill Village bridge towards Queen's county.
- ✓ £.50 for the road from Liverpool to Port Mutton.
- ✓ £.40 for the road from Forbes's to Surat's, on the road to Abobtick river.
- ✓ £.35 for the road from Salmon river bridge, to Jabouge river.

And then the Messenger withdrew.

Mr. Tonge reported from the Committee on the subject of the expenditure of monies granted for Roads and Bridges, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

That it appears to the Committee, that Commissioners have been appointed to expend the several sums appropriated for the above service, and that a number of accounts and certificates, now in the hands of the Treasurer, apply to the cases already reported on by this Committee, and therefore it would be necessary to go through the whole of that report, for which at this advanced period of the Session there is not sufficient time.

A Message from His Excellency the Lieutenant Governor, by Mr. Secretary Wentworth, as follows :

Mr. Speaker,

His Excellency commands this House to attend his Excellency, immediately, in the Council Chamber.

Accordingly, Mr. Speaker, with the House, went up to attend his Excellency in the Council Chamber.

And being returned,

Mr. Speaker reported that the House had attended his Excellency in the Council Chamber, where his Excellency was pleased to give his assent to the several Bills following, viz.

1 An Act to render perpetual an Act to enable the Inhabitants of the several Towns in this Province, to raise Monies for the sinking of Wells, supplying the same with Pumps, and for keeping them in repair.

2 An Act to encourage the Fisheries of this Province, by granting a bounty on the importation of Salt.

3 An Act for making perpetual an Act, made in the thirty-sixth year of his present Majesty's reign, entitled, An Act to regulate the Assize of Bread.

4 An Act for making perpetual an Act in addition to, and amendment of, an Act to prevent Nuisances by Hedges, Wears, and other incumbrances, obstructing the passage of Fish in the rivers of this Province.

5 An Act to continue an Act respecting Aliens coming into this Province, or residing therein.

6 An Act to encourage the raising of Bread Corn on new Lands.

7 An Act to render perpetual an Act in addition to an Act for the raising Money by Presentment on the several Counties and Districts in this Province for the defraying certain county charges therein mentioned.

8 An Act to continue in force the several Acts therein mentioned.

9 An Act to continue an Act to revive a Law for empowering the Governor, Lieutenant

Lieutenant Governor, or Commander in Chief for the time being, to prohibit the exportation of Gunpowder, Arms and Ammunition, or Salt Petre, or carrying the same coastways.

10 An Act for altering the time of holding the Supreme Court in the Districts of Pictou and Colchester.

11 An Act in further amendment of an Act, made in the second year of His present Majesty's reign, entitled, An Act for regulating the exportation of Fish, and the Afize of Barrels, Staves, Hoops, Boards, and all other kind of Lumber, and for appointing Officers to survey the same.

12 An Act for making perpetual an Act to regulate the packing and inspecting of Salted Beef and Pork for exportation.

13 An Act for encouraging the establishment of Schools throughout the Province.

14 An Act for extending throughout the Province, the provisions of an Act, made in the thirty-second year of the reign of his late Majesty, entitled, An Act to prevent unnecessary firing of Guns and other Fire Arms in the Town and Suburbs of Halifax.

15 An Act for the Summary Trial of Actions.

Mr. Hutchinson reported from the Committee of Privileges, to whom the answer of his Excellency the Lieutenant-Governor to the application of the House on the 23d instant was referred; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

The Committee have taken into consideration the answer of his Excellency the Lieutenant Governor to the application of this House on the 23d instant, and as his Excellency in that answer declines to communicate to the House, those parts of the Royal commission, or of his Majesty's instructions, to which his Excellency had been pleased to refer, in his reply of the nineteenth, to the address of the House on the fourteenth instant, the Committee remain ignorant of any authority which vests in the Lieutenant Governor the powers he claims, of judging or controuling the decisions of this House in matter of election.

The Committee remind the House, that his Excellency has already referred the case of the Annapolis election to his Majesty, and has expressed his intention to submit to His Majesty's Government in England, the claims relative to new Writs of Election, stated by the House in their Address; the Committee therefore are of opinion that the whole matter should be laid before his Excellency the Governor-General, and recommend that a suitable Address be presented to his Excellency, and that it be accompanied with copies of all the letters, reports and proceedings, on this subject; and that his Excellency be requested to interpose his authority to protect the privileges of this House, or otherwise that he will be pleased to transmit the case to His Majesty's Ministers, that they may be in possession of the statement made by the House, as well as of the representations of the Lieutenant-Governor on the subject.

On motion, *resolved*, that an Address be presented to his Excellency the Governor General, agreeable to the foregoing report of the Committee of Privileges.

*Ordered*, That the Committee of Privileges do prepare the said Address to his Excellency accordingly.

On motion, the House resolved itself into a Committee of the whole House, to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The

The Chairman reported from the Committee that they had made further progress in the business to them referred, and that the Committee had directed him to move for leave to sit again on the consideration of the same; which report the House agreed to.

Mr. Hutchinson reported from the Committee appointed to prepare an address to his Excellency the Governor-General, agreeably to the resolution of this day, and presented an address accordingly, which he read in his place, and afterwards delivered it in at the Clerk's Table, where it was read and is as follows:

### THE ADDRESS

OF THE HOUSE OF ASSEMBLY OF THE PROVINCE OF NOVA-SCOTIA.

*May it please your Excellency,*

**W**E His Majesty's faithful Subjects the Representatives of His Loyal People of Nova-Scotia, beg leave to offer to your Excellency our congratulations on your appointment to the supreme command in these Provinces; and on your safe arrival within your Government.

In the appointment of an Officer of your Excellency's distinguished character and great military experience, we recognize with gratitude, an additional instance of the paternal care of our beloved Sovereign, and his anxious solicitude for the welfare and security of His faithful Subjects in these highly favored Colonies.

It is with great concern, that we find ourselves compelled to mingle with our congratulations the language of complaint; and nothing but a deep sense of our duty to our Constituents, would induce us to make the present appeal to your Excellency.

The House of Assembly of this Province has ever enjoyed the exclusive right of judging and deciding all questions relating to the Elections of its own Members. This right, derived from the practice of the British House of Commons, seems to be the necessary privilege of every Assembly constituted upon the same principle; and we believe it is exercised without dispute, by all the Assemblies in His Majesty's Colonies.

During the present Sessions of the General Assembly, this important privilege of the House, has been questioned for the first time, by an attempt to draw the final decision of cases of election to another Tribunal, and a perseverance in this attempt to destroy the independence of the House of Assembly of this Province obliges us to apply for redress to your Excellency's superior authority.

In the annexed Memorial, and the papers which accompany it, your Excellency will find a full account of the transaction herein complained of, and to which we respectfully request your attention; and we trust that your Excellency's authority will be applied to remove all grounds of uneasiness in the minds of His Majesty's Subjects in this Colony, who have ever distinguished themselves by their Loyalty to their Sovereign, and by their attachment to his Government, and to the Parent State.

A due sense of the important cares which occupy his Majesty's attention and the hopes of obtaining redress from your Excellency, have induced us to forbear from submitting our case immediately for his Majesty's decision, but if your Excellency should conceive your direct interference on this occasion improper, we confidently hope and request that you will be pleased to refer the whole subject to his Majesty's Ministers for their consideration.

We beg your Excellency to accept the assurances of our high and perfect respect,  
and

and of our sincere and cordial wishes that your health may be speedily re-established, and that your administration may prove as agreeable, as we are convinced it will be honourable, to yourself, and advantageous to the people whom you are appointed to govern.

Mr. Hutchinson also delivered to the House the Memorial, referred to in the foregoing Address to his Excellency the Governor-General, which was read by the Clerk, and is as follows :

**I**N the first Session of this House of Assembly, convened at Halifax in November, one thousand eight hundred and six, a Petition was presented against the Member returned to represent the township of Annapolis : charging amongst other things that he had used undue influence in obtaining his seat. Upon this Petition an investigation took place—witnesses were examined and Counsel heard, both on the part of the Petitioner, and of the sitting Member ; the House being then full, without debate, determined that the charge of undue influence was proved, and declared the Election void, as appears by the extract from the Journals, number one.

An application to the Lieutenant-Governor was then made by the Speaker, in the usual manner, for a new writ for the election of a Member to represent that Township.

During the present Sessions a writ was returned from the County of Sydney, which had been issued in consequence of the death of one of the Representatives of that County ; a petition was exhibited against the Return ; while this petition was pending before the House, and during the discussion which took place upon it, many irregularities in conducting the election transpired, and others having also been stated to the House by the other Member for that County, a Committee was appointed to examine into, and report on, the subject : this Committee, after full enquiry, made the report number two.—The facts contained in this report were admitted to be true by the sitting Member, and the Petitioner, and also by the Sheriff of that County, who was examined at the bar : and the House thereupon unanimously determined the election void.

The Speaker was then directed to apply to the Lieutenant Governor for a new Writ for the county of Sydney, and at the same time to remind his Excellency of his former application for one for the township of Annapolis ; the Speaker's letter was answered by the letter, number three, signed " B. WENTWORTH." As this paper contains a direct claim to adjudicate on the decisions of the House in cases of Elections, where the House has, in conformity to the law and usage of Parliament, always exercised sole and exclusive jurisdiction, the House appointed a Committee of Privileges, to whom the subject was referred, who, after having searched the Journals of the House of Assembly, and consulted the best authorities on the law and practice of Parliament, made and presented to the House, the report number four, with the documents thereunto annexed. Upon this report being made, the House unanimously agreed to the Address, number five, which was accordingly presented to his Excellency the Lieutenant-Governor. To this address his Excellency gave the answer, number six—Which answer, imputing to the House a disposition to subvert the powers supposed to be vested in the Governor by His Majesty's Royal Commission and Instructions, was referred to the same Committee, who recommended to the House to apply to his Excellency for copies of those parts of the Royal Commission and Instructions alluded to therein.

This application was accordingly made by the House, who received from his Excellency the refusal contained in the answer, number seven.

The House, by this refusal, is left totally in the dark as to the nature and extent of those

those powers of which their claims are said to be subversive, and are permitted to remain without the information necessary to regulate their further proceedings.

Had his Excellency the Lieutenant-Governor been pleased to communicate to the House the parts of the Royal Commission and Instructions he alludes to, and the House had concurred with his Excellency in his construction of them, but one mode of procedure would have remained for the House to adopt: they would then have conceived it their duty, as faithful Representatives of their Constituents, humbly to state their case to his Majesty, and pray for the revocation of powers, the exercise of which would tend to involve the Governor of the Province in continual disputes with the Assembly; but from the circumstance of those documents being withheld, and above all from the disposition so uniformly manifested by their most gracious Sovereign to preserve to all his loyal subjects the blessings of liberty, and the enjoyment of their constitutional rights, they are led to conclude that no expressions in the Royal Commission and Instructions can warrant the inferences made by his Excellency.

The House is much strengthened in this opinion, by the consideration, that at an early part of this Session, the Lieutenant-Governor, on the application of the House, had communicated to them such parts of the Royal Instructions as he was pleased to say were necessary for their guidance in their Legislative proceedings; and these documents contain no expressions, which, by any construction, authorise the claims made by his Excellency, or which take away, or at all impeach or restrict, the established right of the House to decide exclusively and finally in all cases of Election.

The impolicy of the advice which has induced the Lieutenant-Governor to agitate a question of privilege, in times like the present, is so obvious, that the House avoid all observation on this part of the subject.

*Resolved*, That the foregoing Address and Memorial be presented to his Excellency the Governor General.

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

Tuesday, 2d February, 1808.

PRAYERS.

On motion the House resolved itself into a Committee of the whole House, to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had made further progress in the business to them referred; and that the Committee had come to several Resolutions thereupon, which they had directed him to report to the House; and he afterwards delivered the same in at the Clerk's Table, where it was read, and is as follows:

*Resolved*, That it is the opinion of this Committee, that a sum not exceeding four hundred and fifty pounds should be granted for the repair of Sambro and Shelburne Light Houses, (in addition to the sum of four hundred pounds granted in the last Session) the whole of the said sums to be accounted for at the next Session of General Assembly.

*Resolved*,

*Resolved*, That it is the opinion of this Committee, that the sum of two hundred and thirty pounds should be granted to repair the road and bridges from Mitchell's tavern, to Ardoise hill, on the road leading to Windfor.

*Resolved*, That it is the opinion of this Committee, that the sum of three hundred pounds should be granted to improve the main road from Gay's river to Truro, in addition to a former sum granted for that purpose, in the present Session, from Hall's towards Truro.

*Resolved*, That it is the opinion of this Committee, that the sum of fifteen pounds should be granted to John Hall, in full satisfaction for a public highway, four rods wide, through his land, from the upper bridge on the river Shubenacadie, to the main road leading from Colchester to Halifax, upon a survey and plan of the same being made and signed by him, and entered of record in the Court of General Session of the Peace in the County of Halifax.

*Resolved*, That it is the opinion of this Committee, that a sum not exceeding eight pounds should be granted to the Clerk of the House Assembly, to defray the expence of Fuel for the House of Assembly during the present Session.

*Resolved*, That it is the opinion of this Committee, that the sum of fifty pounds be granted to the Clerk of the House of Assembly for extra clerks, servants and other incidental expences, during the present Session, to be approved by the Committee of Public Accounts.

*Resolved*, That it is the opinion of this Committee, that a sum not exceeding twenty pounds should be granted to the Clerk of the House of Assembly to defray the expence of Stationary, furnished for the Commissioners of the Revenue, and the House of Assembly.

*Resolved*, That it is the opinion of this Committee, that the sum of fifteen pounds be granted to the Widow of each and every non-commissioned Officer or Soldier of the Battalions of Militia, now embodied for the defence of this Province, who has already died, or who may hereafter die, while employed on actual service; the same to be drawn for by Warrant from the Governor, Lieutenant Governor, or Commander in Chief for the time being, in favor of such Widow or Widows, upon the certificate of the commanding officer of the Battalion to which her Husband belonged on the death of such non-commissioned Officer or Soldier.

*Resolved*, That it is the opinion of this Committee, that the sum of twenty-five pounds be granted to build a bridge over Cook's mill brook, on the road to Lahave from Lunenburg.

*Resolved*, That it is the opinion of this Committee, that the sum of twenty-five pounds should be granted to repair the road from Lunenburg, to Schaffelburger's mill, on the road to Lahave.

*Resolved*, That it is the opinion of this Committee, that a sum not exceeding four hundred pounds should be granted for fitting up the Building at the north-west corner of the ground belonging to the old Government House for Public Offices for the Secretary of the Province, Collector of Impost and Excise, and Clerk of the Crown, and completing the same agreeable to a plan thereof: the said work to be done, by contract, under the direction of the President of His Majesty's Council and the Speaker of the House of Assembly, so as the said contract for the cost of materials and completing the same shall not exceed the aforesaid sum.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again on the consideration of a Supply; which the House agreed to.



The said resolutions were read throughout a first and second time, and, thereupon,

Mr. Robie moved, that the House do not agree to the last Resolution of the Committee for granting the sum of four hundred pounds for fitting up the building for Public Offices, which being seconded and put passed in the affirmative.

The several other resolutions as reported from the Committee were then put to the House, and, upon the question, severally, thereupon, agreed to: and thereupon,

*Ordered*, That the Clerk do carry the said Resolutions to the Council, and desire their concurrence to the same.

A Message from the Council, by Mr. Gautier:

Mr. Speaker,

The Council have agreed to eight resolutions of this House for granting the following sums, viz.

£.450 for the repair of Sambro and Shelburne Light-Houses.

\* £.230 for the road from Mitchell's Tavern to Ardoise Hill.

£.15 to John Hall.

£.8 to the Clerk of the Assembly for Fuel.

£.20 to the Clerk of ditto for Stationary.

£.50 to the Clerk of ditto for Extra Clerks.

£.15 to the Widows of Militia.

£.25 for a Bridge over the North River, in Onflow.

The Council have not agreed to two resolutions of this House, for granting the following sums, viz.

£.25 for the Road from Lunenburg to Schaffelburger's mill.

£.25 for a Bridge over Cook's mill brook.

⇒ The Council have sent down the Bill, entitled, An Act to continue and amend an Act, passed in the 47th year of His present Majesty's reign, entitled, An Act to regulate the expenditure of monies hereafter to be appropriated for the service of Roads and Bridges, with the amendments made by them to the said Bill, to which amendments the Council adhere.

The Council request a conference by Committee on the subject of Roads and Bridges immediately in the Committee Room of the Council.

And then the Messenger withdrew.

*Resolved*, That this House doth agree to the conference as desired by His Majesty's Council, and that the Clerk do acquaint the Council therewith.

*Ordered*, That Mr. Mortimer, Mr. Pearson, and Mr. Haliburton, do manage the said conference.

And they went to the conference.

And being returned,

Mr. Mortimer reported that the Managers had been at the conference, and stated the substance of the conference to the House.

Mr. Tonge, pursuant to leave given, presented a Bill to continue an Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges; and the same was read a first time.

On motion, *resolved*, that the Bill be now read a second time: and the Bill was read a second time accordingly.

On motion, *resolved*, that the Bill be now committed to a Committee of the whole House; and, thereupon,

The House resolved itself into a Committee of the whole House on the consideration of the said Bill.

Mr. Speaker left the Chair,

Mr. Pool took the Chair,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to them referred, and that the Committee had directed him to report the said Bill without any amendment, and he afterwards delivered the Bill in at the Clerk's Table.

*Ordered,* That the Bill be engrossed.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have agreed to a resolution of this House for granting the following sum, viz.

£.25 for a new road from Truro to the North river.

The Council have not agreed to the resolution of this House, for granting the following sum, viz.

£.300 for the road from Gay's River to Truro.

And then the Messenger withdrew.

An engrossed Bill to continue an Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges; was read a third time.

*Resolved,* That the Bill do pass, and that the title be, An Act to continue an Act, made and passed in the 47th year of His present Majesty's reign, entitled, An Act to regulate the expenditure of monies hereafter to be appropriated for the service of Roads and Bridges.

*Ordered,* That the Clerk do carry the Bill to the Council and desire their concurrence to the same.

On motion, *resolved,* that a further conference be desired with the Council, on the subject matter of the last conference, and that the Clerk do request the same.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council agree to a further conference as desired by this House, immediately, in the Committee Room of the Council.

And then the Messenger withdrew.

*Ordered,* That the Managers who managed the last conference, do manage this conference.

And the names of the Managers were called over.

And they went to the conference.

And being returned,

Mr. Mortimer reported that the Managers had been at the conference, and stated the substance of the conference to the House.

A Message from the Council by Mr. Gautier :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act to continue an Act, passed in the 47th year of His present Majesty's reign, entitled, An Act to regulate the expenditure

ture of Monies hereafter to be appropriated for the service of Roads and Bridges, without any amendment.

And then the Messenger withdrew.

On motion, the House resolved itself into a Committee of the whole House, to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had made further progress in the business to them referred; and that the Committee had come to a Resolution thereupon, which they had directed him to report to the House; and he afterwards delivered the same in at the Clerk's Table, where it was read, and is as follows:

*Resolved*, That it is the opinion of this Committee, that the sum of three hundred and eighty pounds should be granted and appropriated as follows:

Two hundred pounds for the road from Gay's river to Truro.

Fifty pounds to repair the Gut bridge, on the main road from Halifax to Pictou.

One hundred and thirty pounds, for the road from Gay's river to the Forks of St. Mary's river.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again on the consideration of a Supply.

The said resolution was read throughout a first and second time, and, upon the question put thereupon, agreed to by the House.

*Ordered*, That the Clerk do carry the foregoing Resolution to the Council, and desire their concurrence to the same.

A Message from the Council by Mr. Gautier.

Mr. Speaker,

The Council have not agreed to the resolution of this House; for granting the sum of £. 380 for roads and bridges;

And then the Messenger withdrew.

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

Wednesday, 3d February, 1808.

PRAYERS.

On motion the House resolved itself into a Committee of the whole House, to consider further of a Supply to be granted for the support of His Majesty's Government.

Mr. Speaker left the Chair.

Mr. James took the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had made further progress in the business to them referred, and that the Committee had come to two Resolutions thereupon, which they had directed him to report to the House, and he read the report in his place; and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

*Resolved*.

*Resolved*, That it is the opinion of this Committee, That if any unforeseen accident has happened, or shall happen, to any of the bridges or causeways on the great public roads of the Province, or the same shall be otherwise injured so as to interrupt travellers, it shall be lawful for his Excellency the Lieutenant-Governor to order a Commissioner, or Commissioners, to repair or rebuild such bridge, or bridges, or causeways, or to remove any unforeseen obstructions which may impede travelling; and it shall be lawful for the Lieutenant-Governor, from time to time, to defray the expence of such repairs, out of the sum of three hundred and eighty pounds which remains unappropriated of the sum of five thousand pounds intended to be applied this ensuing year to the service of roads and bridges; and to draw Warrants accordingly in favor of such Commissioner or Commissioners, who shall account for the expenditure thereof.

*Resolved*, That it is the opinion of this Committee, that the sum of eighty pounds should be granted to Thomas Carwell, on account of his demand for materials and workmanship for the new Government-House, to the 1st October, 1806.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again on the consideration of a Supply; which report the House agreed to.

The said resolutions were read throughout a first and second time, and, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the Clerk do carry the foregoing resolutions to the Council and desire their concurrence to the same.

A Message from the Council by Mr. Gautier:

Mr. Speaker,

The Council have agreed to two resolutions of this House for granting the following sums, viz.

£.380 for Roads and Bridges.

£.80 to Thomas Carwell.

And then the Messenger withdrew.

On motion, the House resolved itself into a Committee of the whole House, to consider further of a supply to be granted for the support of his Majesty's Government.

Mr. Speaker left the Chair;

Mr. James took the Chair;

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the business to them referred; and that the Committee had come to several resolutions thereupon, on which they had framed a Bill for applying certain Monies therein mentioned, for the service of the ensuing year, and he read the report in his place, and afterwards delivered the Bill in at the Clerk's Table, where the Resolutions and Clauses therein contained were severally read throughout a first and second time, and, upon the question put thereupon, agreed to by the House.

On motion, the said Bill was read a first time.

*Resolved*, That the Bill be now read a second time: and the same was read accordingly.

*Ordered*, That the Bill be engrossed.

On motion of Mr. James, *resolved*, that the Clerk be directed by Mr. Speaker, to inform the Members who have been absent during the whole of the last and present Sessions, that if they neglect to attend the services of the House when next convened, their seats will be vacated.

An engrossed Bill for applying certain Monies therein mentioned for the service of the ensuing year; was read the third time.

*Resolved*, That the Bill do pass, and that the title be, An Act for applying certain monies, therein mentioned, for the service of the ensuing year, and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province.

*Ordered*, That the Clerk do carry the foregoing Bill, and also the Bill to revive and continue certain Acts of this Province relating to the Militia, to the Council, and desire their concurrence to the same.

A Message from the Council, by Mr. Gautier :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for applying certain monies, therein mentioned, for the service of the ensuing year, and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province; and also,

A Bill entitled, An Act to revive and continue certain Acts of this Province relating to the Militia; severally, without any amendment.

And then the Messenger withdrew.

[Mr. Tonge moved, That the House do adopt the six following Resolutions, viz. :—

First.—*Resolved*, That the encouragement of the Fisheries of this Province, is an object of the highest importance, and deserving the most serious consideration of its Legislature, as these Fisheries, if properly regulated, will afford a great source of wealth, a staple article for exportation, a fruitful nursery for seamen, a market for the productions of agriculture, and tend greatly to strengthen the ties which bind this Colony to the Mother Country.

Second.—*Resolved*, That their improvement at this time is particularly important to the general interests of the Empire at large, as it tends to relieve his Majesty's Colonies in the West-Indies from a dependance on a foreign nation for one of the principle articles of their subsistence.

Third.—*Resolved*, That it is the sense of this House, that this great object is best attained by giving a direct encouragement to the Banking branch of this business, which, in the opinion of the House, is most conducive to the health, morality, and emolument of those who are engaged in it, and best promotes the joint interest of this Province and the Parent State.

Fourth.—*Resolved*, That it appears to this House, that the bounty upon the tonnage of vessels employed in the Banking and Labradore Fisheries granted by the Legislature in the year one thousand eight hundred and six, operated as a great stimulus to exertion, was productive of very beneficial consequences, and, if continued, would have tended to create a great increase of that branch of business, while, on the contrary, the system adopted in the last Session of granting a bounty on Fish exported, is liable to numerous objections, subject to frauds in the execution, and not conducive to promote its object, as the bounty does not go direct to those who are actually engaged in the fisheries, and the small proportion of it which may eventually reach them, is not considered as affording any encouragement to their exertions.

Fifth.—*Resolved*, That as His Majesty's Council have refused to assent to a Bill passed by this House for renewing the Bounty on the Tonnage of Vessels employed in the Fisheries, and have declared, in conference, that they would not agree to an appropriation of money for this service on any terms but those of a bounty on the Fish exported,

exported, which experience has proved to be useless, the House is obliged to decline the application of any public money to this purpose.

Sixth.—*Resolved*, That these Resolutions be transmitted by a Committee of this House to the Agent of the Province, to be laid before his Majesty's Ministers, with an assurance, that this House will cheerfully appropriate a part of the public Revenue upon any rational system by which a branch of business may be established and improved, which will tend to promote the general interests of the British Empire.—

Which motion being seconded, thereupon, the first, second, third and fourth Resolutions were read throughout a first and second time, and, upon the Question severally put thereupon, agreed to by the House.

The fifth Resolution was read throughout a first and second time, and thereupon,

Mr. Haliburton moved, that the said Resolution be amended, by adding thereto the substance of the conference held with a Committee of His Majesty's Council, on the subject of the Fisheries; which, being seconded and put, and the House dividing thereon, there appeared for the amendment, nine, against it eleven:

For the amendment		Against the amendment.	
Mr. WELLS,	Mr. CRANE,	Mr. COLLINS,	Mr. TONGE,
Mr. PYKE,	Mr. PURDY,	Mr. ROBIE,	Mr. DIMOCK,
Mr. HALIBURTON,	Mr. MARSTERS,	Mr. BAKER,	Mr. FOOL,
Mr. HUTCHINSON,	Mr. CHANDLER,	Mr. NORTIMER,	Mr. LAWSON,
Mr. ROACH,		Mr. JAMES,	Mr. WARWICK,
		Mr. LENT,	

So it passed in the negative.

The said Resolution was then put to the House, and, upon the question thereupon, agreed to.

The sixth Resolution was read throughout a first and second time, and, upon the question put thereupon, agreed to by the House.

On motion of Mr. Robie, *resolved*, That a Committee be appointed to join with Mr. Speaker in forwarding the foregoing Resolutions to the Agent of the Province, and corresponding with him on the subject thereof; and thereupon,

*Ordered*, That Mr. Tonge, Mr. Lawson, and Mr. Robie, be a Committee for the above purpose.

On motion of Mr. Robie, *resolved*, That the above named Committee do forward the Address of this House of the first instant, to His Excellency the Governor-General, with the Memorial and Documents therein-referred to, and also a Duplicate thereof to the Agent of the Province.

A Message from His Excellency the Lieutenant Governor, by Mr. Gauthier, Deputy Secretary:

Mr. Speaker,

His Excellency commands this House to attend his Excellency, immediately, in the Council Chamber.

Accordingly, Mr. Speaker, and the House, went up to attend his Excellency in the Council Chamber, where his Excellency was pleased to give his assent to the several Bills following:

An Act to continue an Act, made and passed in the 47th year of His present Majesty's reign, entitled, An Act to regulate the expenditure of monies hereafter to be appropriated for the service of Roads and Bridges.

An Act to revive and continue certain Acts of this Province relating to the Militia

An Act to revive, alter and continue, an Act, passed in the 39th year of his present Majesty's Reign, entitled, An Act for raising a revenue to repair the Roads throughout the Province, by laying a duty on persons hereafter to be licenced, to keep public Houses or Shops for the retail of Spirituous Liquors, and for regulating such public Houses and Shops; also, the Act passed in the 40th year of his Majesty's reign, in amendment of the above recited Act; also, an Act passed in the 41st year of his Majesty's reign, entitled, An Act in addition to and in amendment of the above recited Act; and also the Act passed in the 46th year of his Majesty's reign, entitled, An Act in addition to and in amendment of the above recited Act.

After which Mr. Speaker spake as follows :

*May it please your Excellency,*

I BEG leave to present to Your Excellency, on behalf of the Commons of Nova-Scotia, a Bill for appropriating the Supplies granted the present Session for the support of His Majesty's Government, and the service of the Province for the ensuing year, and to request your Excellency's assent to the same.

His Excellency was pleased to give his assent to the said Bill following, viz :—

An Act for applying certain monies, therein mentioned, for the service of the ensuing year, and for appropriating such part of the Supplies granted in this present Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province.

His Excellency was then pleased to make the following SPEECH :

*Gentlemen of the Council and Assembly,*

**I** EMBRACE, with great pleasure, this occasion to release you from the Public Service, to attend to your own private affairs; relying fully, that at all times, but more especially at a period of such peculiar importance as the present, you will, in your respective Districts, wisely cultivate that prevailing Spirit of Harmony and Loyalty, which I hope will long continue to render this a strong, respectable, and happy Province.

Afterwards the President of His Majesty's Council, by His Excellency's Command, said—

*Gentlemen,*

IT is His Excellency's Will and Pleasure, that this General Assembly be prorogued to Thursday the twelfth day of May next, to be then here held, and this General Assembly is accordingly prorogued to Thursday the twelfth day of May next.