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

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FROM 3d FEBRUARY TO 22d MARCH, 1834.

Being the Fifth Session of the Tenth General Assembly.

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FREDERICTON, NEW BRUNSWICK.  
PRINTED BY JOHN SIMPSON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

1834.



By His Excellency Major General Sir ARCHIBALD  
CAMPBELL, Baronet, G. C. B. Lieutenant Governor  
and Commander in Chief of the Province of New  
Brunswick, &c. &c. &c.

**ARCHIBALD CAMPBELL.**

**A PROCLAMATION.**

**W**HEREAS the General Assembly of this Province stands prorogued to Tuesday the Fourth Day of June next, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the First Tuesday in September next ensuing.

Given under my Hand and Seal, at Fredericton, the Twenty-ninth Day of May, in the Year of our Lord One thousand eight hundred and thirty-three, and in the Third Year of His Majesty's Reign.

*By His Excellency's Command.*

WM. F. ODELL.



By His Excellency Major General Sir ARCHIBALD  
CAMPBELL, Baronet, G. C. B. Lieutenant Governor  
and Commander in Chief of the Province of New  
Brunswick, &c. &c. &c.

**ARCHIBALD CAMPBELL.**

**A PROCLAMATION.**

**W**HEREAS the General Assembly of this Province stands prorogued to Tuesday the Third Day of September next, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the First Tuesday in December next ensuing.

Given under my Hand and Seal, at Fredericton, the Twenty-ninth Day of August, in the Year of our Lord One thousand eight hundred and thirty-three, and in the Fourth Year of His Majesty's Reign.

*By His Excellency's Command.*

WM. F. ODELL.



By His Excellency Major General Sir ARCHIBALD  
CAMPBELL, Baronet, G. C. B. Lieutenant Governor  
and Commander in Chief of the Province of New  
Brunswick, &c. &c. &c.

*ARCHIBALD CAMPBELL.*

A PROCLAMATION.

**W**HEREAS the General Assembly of this Province stands prorogued to the  
First Tuesday in December next ensuing, I have thought fit further to pro-  
rogate the said General Assembly, and the same is hereby prorogued to Monday, the  
Third Day of February next, *then to meet at Fredericton for the Dispatch of Business.*

Given under my Hand and Seal, at Fredericton, the  
Twenty-seventh Day of November, in the Year of our  
Lord One thousand eight hundred and thirty-three,  
and in the Fourth Year of His Majesty's Reign.

*By His Excellency's Command.*

WM. F. ODELL.



# JOURNAL

OF

## THE LEGISLATIVE COUNCIL

OF THE

Province of New-Brunswick.

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FIFTH SESSION OF THE TENTH GENERAL ASSEMBLY.

ANNO QUARTO GULIELMI QUARTI REGIS.

HIS EXCELLENCY MAJOR GENERAL SIR ARCHIBALD CAMPBELL, BARONET, G. C. B.  
LIEUTENANT GOVERNOR AND COMMANDER IN CHIEF.

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At Fredericton in the Province of New-Brunswick.

COUNCIL CHAMBER, Monday, 3rd February, 1834.

**T**HE General Assembly having been by Three Proclamations prorogued to this day, the Council met—

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

His Excellency Major General Sir Archibald Campbell, Baronet, Knight Grand  
Cross

Cross of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander-in-Chief of the Province, came to the Council Chamber, and by Message commanded the attendance of the House of Assembly.

The House of Assembly attended accordingly and His Excellency opened the Session by a Speech.

The House of Assembly having withdrawn, His Excellency was pleased to retire.

Prayers were read.

The President reported, that he was in possession of a Copy of His Excellency's Speech; which he read and is as follows :—

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

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

“**Y**OU are again met for the discharge of the high and important duties, which have been intrusted to you; and I feel assured that you must all agree with me, that there are circumstances connected with the present condition of the Province, and immediately within your own control and superintendence, which demand, in no ordinary degree, the careful and mature consideration of a prudent and enlightened Legislature.

“It can no longer be doubted, that the Finances of the Country are involved in difficulties, which have been already felt to an extent which, it is to be apprehended, may have caused alarm and inconvenience to those who have been accustomed to place implicit confidence in the Provincial engagements—difficulties, which if not speedily met by some well digested measures of retrenchment, supported by a well ordered economy in future, must soon lead to serious embarrassment, and blight those fair prospects of internal improvement, and Provincial prosperity, which, with a just reliance on Divine Goodness, we may have hoped to see realized.

“I invite your early attention, therefore, to a subject, the investigation of which cannot, with safety, be delayed; and I recommend that your financial system should undergo such a revision, as will best enable you to provide satisfactorily for the gradual liquidation of the Public Debt, and to restrict the future annual expenditure, within such limits as the actual state of the Revenue, with the existing claims upon it, may require.

“I rely entirely on your judgment, discrimination and public spirit, for the selection of the most proper objects of retrenchment, being fully persuaded, that it will be your study and endeavour, to adopt such measures, as will least affect the general welfare, or the public service; and that you will steadily support, with a just and comprehensive knowledge of the wants and resources of the Country, those Institutions and Establishments, which its future destinies, as an integral portion of the British Empire, gradually advancing in value and importance, may demand.

“I feel a perfect assurance that these great objects may yet be accomplished, without involving

involving the necessity of any great public sacrifice, or of any increase to the burthens of the people.

“ I have observed with satisfaction, that the Trade of the Province appears of late to have been prosecuted with increased activity and spirit; and that Commercial enterprise has opened for itself new outlets for the employment of our Shipping, which, it is hoped, will be productive of permanent advantage.

“ The late unfavourable Season, with which it pleased Providence to visit us, has been severely felt in many parts of the Province: but I can see no reason to doubt that the Agriculture of the Country is progressively improving, and gradually assuming that character of importance in public estimation, which, at no distant period, will develop the natural excellencies of a soil, capable of supporting in competence and comfort, a vast increase of population.

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

“ The Treasurer's accounts, with the documents which usually accompany them, shall be laid before you.

“ It is quite essential to the proper maintenance of the public credit, that your Grants should be so regulated as to insure their prompt payment at the Treasury, as they become due:—with reference to this subject I shall have to communicate to you by Message, some commands which I have recently received from His Majesty's Government, relative to the future issue of Government Paper or Securities.

“ The almost entire failure of the crops last year in Madawaska, had reduced a District, usually blessed with happiness and plenty, to a state of great misery and want, bordering upon famine, and I could not, therefore, hesitate to order immediate supplies of food to be provided for the unfortunate sufferers:—the documents connected with this outlay, I will order to be laid before you, in the confident expectation, that of all the claims that may be submitted to you, those of suffering humanity will be the first attended to.

“ It is now, I believe, generally felt and acknowledged, that a contraband trade, to an extent most hurtful to the Provincial Revenue, has for some time past been, almost openly, carried on in the Bay of Fundy:—an alarming instance of the audacity with which this illegal practice is prosecuted; has been very recently reported to me, and the existing call for an efficient preventive system, does not, in my judgment, admit of any question. It is not alone the protection of the Revenue, although of itself an object of sufficient consequence, which now claims the interference of the Legislature; for it is obvious, that the absence of any adequate check upon this shameful and demoralizing traffic, must have had a most injurious effect upon the coasting trade; and I have every reason, therefore, to conclude, that a large increase of business and success to our Mercantile Establishments, would be among the results which might be expected to flow from the suppression of this evil.

“ *Honorable*

*“Honorable Gentlemen,  
and Gentlemen,*

“I have received Instructions to convey to you a statement of the terms upon which, in the opinion of His Majesty’s Government, His Majesty might properly be advised to place the proceeds of the Casual and Territorial Revenues, under the control of the Provincial Legislature:—this important document, I will communicate to you by Message; and I anticipate that in the propositions thus to be submitted, you will not fail to recognize the disposition which exists, on the part of His Majesty, to accede to the wishes of the Representatives of His Majesty’s faithful subjects in New Brunswick.

“The liberality with which you have invariably supported the Schools and Seminaries of Instruction established in the Province, merits my best acknowledgements; and I am anxious that the encouragement which you have given to the diffusion of knowledge, should be productive of all the good which we are justly entitled to expect. I am afraid, however, that our expectations, in this respect, have, in too many instances, been defeated, by the appointment of improper or incompetent Schoolmasters; and sensible as you are, how much depends on the character and qualifications of those who are to instruct the young, and preside over the formation of their morals, I need only suggest to you the expediency of adopting some plan, such as the nomination of competent local Committees, for the examination, not only of the Teachers now borne on the Establishment, but of every future Candidate for a vacant School, in order to insure the selection of persons duly qualified, and of undoubted respectability, for every such situation.

“From the various important matter that will now claim your consideration, you will readily concur in opinion with me, that at no former period have subjects of weightier moment been submitted to the Legislature of this Province; and you will, I trust, be cordially disposed, to deliberate upon them, in that calm and temperate spirit, and in those wise, and enlarged views of the true interests—present and prospective—of the whole community, which can alone guide you to the safe and satisfactory disposal of them. The great financial questions, which will engage your attention, are inseparably identified with the future well being of the country; and in dealing with them, you cannot fail to bear in mind, that your decisions will be lastingly beneficial to the Province, only in proportion as they may tend to strengthen and consolidate its natural and political union with the Parent State.

“We can have but one object in view—the public good—and while I leave to your judgment and discretion, the adoption of such measures as it may be proper to pursue in furtherance of that end, I may truly assure you, that I shall not be wanting in any exertions that may be required from me, for promoting the permanent prosperity and happiness of His Majesty’s loyal subjects in New-Brunswick.”

The President acquainted the House, that by a Mandamus under the Royal Sign Manual, dated the 1st day of January 1833, Amos Edwin Botsford, Esquire, is appointed a Member of this House, and desires to be admitted.

ORDERED, That Mr. Peters and Mr. F. P. Robinson, be a Committee to attend Mr. Botsford, and see him qualified. Mr.

Mr. Peters from the Committee appointed for that purpose, reported, that they had, according to order, attended Mr. Botsford, who took the Oaths in the presence of the Lieutenant Governor.

The Honorable Mr. Botsford was then introduced between Mr. Peters and Mr. F. P. Robinson, and took his Seat.

ORDERED, That an humble Address be presented to His Excellency the Lieutenant Governor, in answer to His Speech; and that Mr. Simonds, and Mr. W. H. Robinson be a Committee to prepare the same.

*Adjourned until To-morrow.*

TUESDAY, 4th February, 1834.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Saunders, President.</i>	
<i>Mr. Shore.</i>		<i>Mr. F. P. Robinson.</i>
<i>Mr. Simonds.</i>		<i>Mr. Botsford.</i>

PRAYERS.

*Adjourned until to-morrow at 11 o' Clock.*

WEDNESDAY, 5th February, 1834.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Saunders, President.</i>	
<i>Mr. F. P. Robinson.</i>		<i>Mr. Simonds.</i>
<i>Mr. W. H. Robinson.</i>		<i>Mr. Saunders.</i>
<i>Mr. Botsford.</i>		

PRAYERS.

ORDERED, That the Journals of this House be printed daily, and that the Printer do furnish One hundred and fifty copies thereof.

Mr. Simonds, from the Committee appointed to prepare an Address in answer to the Speech of His Excellency the Lieutenant Governor, reported a Draft thereof, which he read in his place.

ORDERED, To be taken into consideration to-morrow.

ORDERED, That Mr. Saunders and Mr. Botsford be a Committee to draft Rules and Orders proper to be adopted as the Rules and standing Orders of this House.

*Adjourned until to-morrow at 11 o' Clock.*

B

THURSDAY,

THURSDAY, 6th February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Shore.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Went into consideration of the Address in answer to the Speech of His Excellency the Lieutenant Governor, and the same being read at the Clerk's Table, paragraph by paragraph, was amended, ordered to be engrossed, and is as follows:—

*“ To His Excellency Major General Sir Archibald Campbell, Baronet, Knight Grand Cross of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.*

“ THE HUMBLE ADDRESS OF THE LEGISLATIVE COUNCIL IN GENERAL ASSEMBLY.

“ MAY IT PLEASE YOUR EXCELLENCY,

“ WE thank Your Excellency for your Speech at the opening of the Session.

“ We concur in opinion with Your Excellency, that there are circumstances connected with the present condition of the Province, which demand, in no ordinary degree, the careful consideration of the Legislature.

“ The financial difficulties of this Province, although of a temporary nature, have, from various causes, led to much inconvenience to those who have been accustomed to repose implicit confidence in Provincial engagements. We shall cheerfully concur in all judicious measures of retrenchment and economy, in every branch of the Public Service, and in such revision of our financial system as will most effectually provide for the early liquidation of what remains unpaid of the Public Debt, and as will ensure prompt payment at the Treasury, by keeping the expenditure within the income of the Province.

“ In selecting objects of retrenchment there can be no doubt that the general welfare should constantly be kept in view; and Your Excellency may rely on our willingness to support, to the utmost extent that the wants and resources of the Country will justify, all those Institutions and Establishments that are actually required in this portion of His Majesty's Dominions.

“ The increased energy and spirit with which the Trade of this Province has of late been prosecuted, and the circumstance of its having opened new channels for the employment of our shipping, cannot but be highly gratifying to us all.

“ It is consolatory to know that the Agriculture of the Province is progressively improving, notwithstanding the late unfavorable seasons. “ We

“We learn with most grateful feelings that Your Excellency has received instructions to convey to us a statement of the terms upon which, in the opinion of His Majesty’s Government, His Majesty might be properly advised to place the Casual and Territorial Revenues under the control of the Provincial Legislature. Convinced as we are of the paternal solicitude with which our Gracious Sovereign watches over the interests of all His Subjects, we feel assured that, in the proposition to be laid before us, we shall fully recognize a disposition on the part of His Majesty, to accede to the wishes of the Representatives of His faithful subjects in New Brunswick.

“Anxious that every encouragement should be given to the diffusion of useful knowledge, we shall gladly use our best exertions in devising, and carrying into effect, measures by which all our Schools and Seminaries of Instruction may become more extensively useful than they have heretofore been.

“We entirely concur in opinion with Your Excellency, that the subjects to be discussed by the Legislature, during the present Session, are of pre-eminent importance to this Province; and Your Excellency may be assured, that we shall give to them that calm and dispassionate consideration, which is most likely to lead to satisfactory results. In all our deliberations we shall bear in mind, that we shall best consult the true interests of this Province, as well as perform one of the most pleasing of our duties, by strengthening and consolidating the ties which bind us to the Parent State.

“As it is obviously the duty of all, and especially of those who have any share in the management of public affairs, to promote, to the utmost of their power, the public good, our best exertions, we trust, will always be faithfully devoted to the accomplishment of that great object; and we are happy in the assurance of Your Excellency’s desire to promote the permanent prosperity and happiness of His Majesty’s loyal subjects in New Brunswick.”

ORDERED, That Mr. Simonds and Mr. W. H. Robinson be appointed a Committee to wait upon His Excellency the Lieutenant Governor, to know when this House would be received with their Address, in answer to His Excellency’s Speech at the opening of the Session.

*Adjourned until to-morrow at 11 o’ Clock.*

**FRIDAY, 7th February, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Shore.*

*Mr. F. P. Robinson.*

*Mr.*

*Mr. Simonds.*  
*Mr. W. H. Robinson.*  
*Mr. Botsford.*

*Mr. Cunard.*  
*Mr. Saunders.*

*Prayers.*

Mr. W. H. Robinson, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, to know when this House would be received with its Address in answer to His Excellency's Speech at the opening of the Session, reported, that he had done so, and that His Excellency was graciously pleased to appoint the hour of twelve o'clock this day for that purpose.

At twelve o'clock the House proceeded to the Government House with their Address, and having returned—

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

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

“ I THANK you for this Address, and for the assurances which it contains, that in the consideration of the various important subjects, recommended to your attention, I shall receive the benefit of that aid and support, which your wisdom and experience so well enable you to afford.”

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Secretary Odell, who having retired, the President read the same, and it was again read by the Clerk as follows :

*“NEW BRUNSWICK.*

*“Message to the Legislative Council.*  
*“7th February, 1834.*

*“ARCHIBALD CAMPBELL.*

“ THE Lieutenant Governor communicates to the Legislative Council, the Copy of a Dispatch addressed to him by the Secretary of State for the Colonial Department, in answer to the Address of the Legislative Council, which was transmitted to the Secretary of State during the last Session, for the purpose of being laid at the foot of the Throne.

*“A. C.”*

*“Downing-street, 27th July, 1833.*

*“SIR,*

“ I have received and laid before the King, your Dispatch No. 22, the 19th of March last, enclosing certain Resolutions of the Legislative Council, and also an Address from that Body to His Majesty, on the subject of the relative rank to be held by Members of the Executive and Legislative Councils, and on the right of succession to the Administration of the Government of the Province, in the event of the death or absence of the Lieutenant Governor.

*“With*



“ With respect to the latter point, I think, that the existing Instruments under the Royal Sign Manual, are sufficient to place it beyond the reach of doubt. By Letters Patent, bearing date the 3rd of December 1832, the Council of New Brunswick was divided into two distinct Councils, to be styled the Legislative Council, and the Executive Council. The Legislative Council was to have those powers of the original and joint Council, which respected the enactment of Laws; but all other Powers and Authorities whatsoever belonging to the original Council, were to be vested in the Executive Council. It necessarily follows, that the privilege of succeeding to the Administration of the Government must belong to the Senior Member of the Executive Council. I may add, that this provision was no more than consistent with the nature of the two Bodies which His Majesty was creating, in dividing the Councils. It was natural that the Advisers of the Governor, in the ordinary discharge of his Office, should be presumed to be better prepared to succeed, on an emergency, to the same Office, than those who were confined to the separate, though highly important, business of Legislation.

“ The solution of the question referred to in the preceding observations, appears to me to answer the question respecting the relative Rank of Members of the Executive and Legislative Councils. As the succession to the Government belongs to the Senior Member of the Executive Council, the Members of that Council ought to have precedence of all other Persons; for it would be a manifest inconvenience, that an Officer called upon to administer the Government, should thereby supersede a previous superior in rank.

“ I have the honor to be,

“ Sir,

“ Your obedient humble Servant,

(Signed)

“ E. G. STANLEY.”

Major General Sir ARCHIBALD CAMPBELL, Bart., G. C. B.  
&c. &c. &c.

True Copy.

J. CAMPBELL, *Private Secretary.*

*Adjourned until Monday at 11 o'clock.*

**MONDAY, 10th February, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Message from the Assembly, by Mr. Weldon, with a Bill, intituled “ A Bill to authorize

authorize the Justices of the Peace in the County of Kent, to levy an assessment upon the inhabitants of the said County, to discharge the debts due from the same," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Wednesday next.

Mr. Botsford presented a Petition from the Justices of the Peace for the County of Kent, praying an Act may pass to authorize a sum to be assessed to discharge the County debt.

ORDERED, That the said Petition be received and lie on the Table.

Mr. Simonds presented the following Petitions:—

A Petition from the Justices of the Peace in the City and County of Saint John, praying a sum may be granted to reimburse the Overseers of the Poor in the Parish of Portland, for certain expenditures by them in supporting Black Refugees:

A Petition from the Justices of the Peace for the City and County of Saint John, praying a sum may be granted to reimburse the Overseers of the Poor in the Parish of Portland, for money expended in relieving indigent and distressed Emigrants: and

A Petition from the Justices of the Peace in the City and County of Saint John, praying a sum may be granted, to enable them to pay certain debts due by the Board of Health, in the Parish of Portland.

ORDERED, That the said Petitions be received and lie on the Table.

Message from the Assembly, by Mr. End, with a Bill, intituled "A Bill to provide for the establishing and maintaining of Booms for securing Masts, Logs and Lumber in the County of Gloucester," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Wednesday next.

Mr. Simonds presented the following Petitions:—

A Petition from the Justices of the Peace in the City and County of Saint John, praying that an Act may be passed, to enable the Sessions to issue a Warrant to assess the inhabitants for certain expenditures as set out in the said Petition: and

A Petition from Messrs. Crookshank and Walker, Merchants in the City of Saint John, praying relief in certain proceedings now pending against them on Treasury Bonds.

ORDERED, That the said Petitions be received and lie on the Table.

Several Messages from His Excellency the Lieutenant Governor, were delivered by the Honorable Mr. Secretary Odell, who having retired, the President read the same, and they were again read by the Clerk as follows:—

## NEW BRUNSWICK.

*Message to the Legislative Council.  
8th February, 1834.*

## ARCHIBALD CAMPBELL.

THE Lieutenant Governor communicates for the information of the Legislative Council, a Copy of a Dispatch from the Right Honorable E. G. Stanley, His Majesty's Secretary of State for the Colonies, dated 23th September, 1833, containing Instructions relative to the future issue of Government Paper or Securities.

A. C.

## CIRCULAR.

*Downing-street, 28th September, 1833.*

SIR,

I have the honor to transmit to you the enclosed extract of a communication which has recently been received from the Secretary to the Treasury, and I have to convey to you His Majesty's pleasure, that, in conformity to the opinion expressed by the Lords Commissioners of His Majesty's Treasury, you will not, except in such urgent cases as are adverted to in Mr. Stewart's letter, assent to any Act authorizing the issue of Government Paper or Securities, unless you shall have received His Majesty's express previous sanction for so doing, or unless the Act shall contain a clause suspending its operation until the pleasure of His Majesty thereon shall be signified.

I have the honor to be,

Sir,

Your obedient humble servant,

E. G. STANLEY.

Major General Sir Archibald Campbell, G. C. B.  
&c. &c. &c.

True copy.

J. CAMPBELL, *Private Secretary.*

## EXTRACT.

*Treasury, 20th July, 1833.*

My Lords admit that circumstances may occasionally occur to render it advisable, that a temporary issue of Government Paper in a Colony should be sanctioned; but to evince the urgent necessity for the observance of the greatest circumspection in regard to the issue of paper by Colonial Governments, they need only advert to the difficulties and embarrassments that have arisen from this cause in Ceylon, the Cape of Good Hope, Mauritius, the Colonies of British Guinea and Jamaica.

My Lords apprehend that the Governors of all those Colonies in which the fiscal authority rests solely with the Crown, are prohibited from making any new or additional issues of Government Paper, of any description, without the express previous permission of His Majesty's Government; and with the view of preventing the occurrence

occurrence of the mischiefs to which they have adverted, in the Colonies having local Legislatures, my Lords would especially recommend that the Officers administering the Governments of those Colonies, should be distinctly cautioned not to assent to any local Acts or Ordinances authorizing the issue of Government Paper or Securities, until they receive His Majesty's express previous sanction for so doing, unless upon any pressing or unforeseen emergency, which may call for a temporary measure of this nature, and with specific provision for the redemption of the debt thereby incurred.

True extract.

J. CAMPBELL, *Private Secretary.*

NEW BRUNSWICK.

*Message to the Legislative Council.*  
8th February, 1834.

ARCHIBALD CAMPBELL.

THE Lieutenant Governor directs to be laid before the Legislative Council for their information, copies of two Dispatches; one from the Under Secretary of State for the Colonies, dated 31st May, 1833, respecting the naturalization of Aliens; the other from the Right Honorable E. G. Stanley, in answer to the Petitions of the Legislative Council and House of Assembly on the subject of Timber Duties.

A. C.

*Downing-street, 31st May, 1833.*

SIR,

Mr. Secretary Stanley has directed me to acknowledge the receipt of your Dispatch, No. 15, of the 5th March last, transmitting an Address presented to you by the House of Assembly of New Brunswick, with a copy of a joint Address from the Council and Assembly, made during the Session of 1829, relative to the naturalization of Aliens in the Province; and I am to acquaint you that the subject will receive Mr. Stanley's consideration at a moment when he is less occupied than he is at present.

I have the honor to be,

Sir,

Your most obedient humble servant,  
R. W. HAY.

Major General Sir Archibald Campbell, G. C. B.  
&c. &c. &c.

True copy.

J. CAMPBELL, *Private Secretary.*

*Downing-street, 25th June, 1833.*

SIR,

I have the honor to acknowledge the receipt of your Dispatch, No. 20, of the 19th

19th March last, transmitting Petitions from the Legislative Council and House of Assembly of the Province of New Brunswick to His Majesty, and to both Houses of Parliament, on the subject of the Timber Duties; and I have to acquaint you that the Petition to His Majesty has been duly laid at the foot of the Throne, and that I shall take an early opportunity of presenting the Petition to the House of Commons, and shall request one of my Colleagues in the Upper House to present the Petition to the House of Lords.

I have the honor to be,

Sir,

Your most obedient humble servants,  
E. G. STANLEY.

Major General Sir Archibald Campbell, Bart. G. C. B.  
&c. &c. &c.

True copy.

J. CAMPBELL, *Private Secretary.*

NEW BRUNSWICK.

*Message to the Legislative Council.*  
10th February, 1834.

ARCHIBALD CAMPBELL.

THE Lieutenant Governor communicates to the Legislative Council, an Extract of a Dispatch from the Right Honorable E. G. Stanley, His Majesty's Secretary of State for the Colonies, dated 28th September 1833, relating to the Militia of the Province, and recommends the same to the consideration of the Legislative Council, in the confident hope that such efficient arrangements for this service will be made as its evident importance demands.

A. C.

*Extract of a Dispatch from the Right Honorable E. G. Stanley, His Majesty's Secretary of State for the Colonies, dated Downing-street 28th September, 1833.*

I fully participate in the regret you have expressed that the House of Assembly should have manifested such a disinclination to adopt the measures which are necessary to secure the efficiency of the Militia of the Province. His Majesty's Government have done every thing in their power for arming and properly equipping that Force; but it is obvious, that unless these earnest endeavours are seconded by the Colonial Legislature, they must become altogether nugatory. A large sum of money has been expended already for this purpose out of the King's Casual and Territorial Revenue, and it was my intention that a further supply should be furnished from the Arms which have been deposited in the Ordnance Stores of the Province. How far it may be advisable under present circumstances to carry that intention into effect is very questionable. The Resolution of the House of Assembly of the 13th March last, would induce the belief that no grant will be made for the Militia service for the ensuing year. Under such circumstances, I should not feel myself justified in recommending His Majesty to expend any further sum out of

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the Crown Revenues for the organization of a Force which could not be rendered efficient, or in any way serviceable, unless called out more frequently, and for longer periods. I am unwilling, however, to imagine, that the House of Assembly are indifferent upon a subject of such vital importance to the Province, or that they will refuse to forward the views of His Majesty's Government by withdrawing the assistance which is required to render your exertions successful. I am, therefore, desirous that you should bring the subject again before the Legislature at their next meeting, pointing out the obvious inexpediency of limiting the number of training days, as they were desirous of doing, and calling upon them to continue a certain amount of pay to an Inspecting Officer, or Officers, and to provide for the safe custody, and proper repair of the Arms which may be appropriated to the Militia.

(Signed) E. G. STANLEY.

Major General Sir ARCHIBALD CAMPBELL, G. C. B.  
&c. &c. &c.

True copy.

J. CAMPBELL, *Private Secretary.*

NEW BRUNSWICK.

*Message to the Legislative Council.*  
10th February, 1834.

ARCHIBALD CAMPBELL.

THE Lieutenant Governor informs the Council, that he has renewed the recommendation, sent during the last Session to the Assembly, in pursuance of direction from His Majesty's Secretary of State, to make provision for putting the two Branches of the Legislature on an equal footing with respect to compensation for their services in the discharge of their public duty.

A. C.

NEW BRUNSWICK.

*Message to the Legislative Council.*  
10th February, 1834.

ARCHIBALD CAMPBELL.

THE Lieutenant Governor recommends to the Council the providing, by some Legislative enactment, for the erection of secure and suitable Buildings of Stone, contiguous to the Court Houses in the several Counties, for the Offices for the Register of Deeds and Wills, with a view to the safe keeping of the important Records upon which the Titles to so many Estates in the Province depend, and which being now generally deposited in private houses and other insecure Buildings are exposed to great risk of Fire and other accidents.

A. C.

*Adjourned until to-morrow at 10 o' Clock.*

TUESDAY,

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**TUESDAY, 11th February, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Shore.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Message from the Assembly, by Mr. J. Taylor, with a Bill, intituled "A Bill to provide for the regulation of a Boom or Booms for securing Masts, Logs and Lumber in the Meduxnikik River in the County of Carleton," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, that the said Bill stand for a second reading to-morrow.

*Adjourned until to-morrow at 11 o' Clock.*

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**WEDNESDAY, 12th February, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Shore.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

ORDERED, That the Order for the second reading of the Bill to authorize the Justices of the Peace, in the County of Kent, to levy an assessment upon the inhabitants of the said County, to discharge the debts due from the same, be discharged, and stand as the Order of the Day for Friday.

ORDERED, That the Order for the second reading of the Bill to provide for the establishing and maintaining of Booms for securing Masts, Logs and Lumber in the County of Gloucester, be discharged, and stand as the Order of the Day for Friday.

ORDERED, That the Order for the second reading of the Bill to provide for the regulation of a Boom or Booms for securing Masts, Logs and Lumber in the Meduxnikik river, in the County of Carleton, be discharged, and stand as the Order of the Day for Friday.

Message

Message from the Assembly, by Mr. Wyer, with a Bill, intituled "A Bill to authorize the Justices of the Peace for the County of Charlotte to levy an assessment towards paying off the debt due on the County Gaol, and the contingent expenses of the County," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Friday.

Message from the Assembly, by Mr. J. Humbert, with a Bill, intituled "A Bill to revive an Act, intituled 'An Act to prevent Pedlars travelling and selling within this Province without licence,'" to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Monday next.

Several Messages from His Excellency the Lieutenant Governor were delivered by the Honorable Mr. Secretary Odell, who having retired, the President read the same, and they were again read by the Clerk as follows:—

#### NEW BRUNSWICK.

*Message to the Legislative Council.*

*12th February, 1834.*

#### ARCHIBALD CAMPBELL.

THE Lieutenant Governor directs to be laid before the Council, a copy of a Dispatch from His Majesty's Secretary of State for the Colonies, containing a statement of the terms on which His Majesty would be advised to place the proceeds of the Casual and Territorial Revenue under the control of the Provincial Legislature.

A. C.

*Downing-street, 30th September, 1833.*

SIR,

In the present Dispatch, I propose to convey to you the terms on which I should feel that His Majesty might properly be advised to place the proceeds of the Casual and Territorial Revenue, under the control of the Assembly of New Brunswick. You are aware that the flourishing state of this Revenue, and the probability of its continuance, and even increase, for many years, entitle the Crown to expect a liberal compensation for its surrender. The receipts last year appear to have been £15,888, and the fixed charges £14,003, to be reduced, however, prospectively by the change in the Salaries of the Agents for Emigrants to £13,693. It is possible that hereafter, the fixed charges may be further reduced. In the above mentioned receipts for the year 1832, there is only included a sum of £649, from Quit Rents, a source from which, had not His Majesty been pleased to suspend the enforcements of his right, a much larger amount must have been derived in subsequent years. In this Revenue of £15,000, and for the power of augmenting it by the collection of Quit Rents, I should be prepared to advise His Majesty to accept a permanent appropriation by the Legislature, duly secured to the amount of £14,000

*per*



*per annum*; and I should further be willing to recommend that the Crown should undertake to charge, on any such permanent grant, the following heads of expenditure:

The Salaries of the Lieutenant Governor, (including the Private Secretary.)

Commissioner of Crown Lands.

Provincial Secretary.

Chief Justice,

Three Puisne Judges.

Attorney General.

Auditor.

Receiver General.

The expense of the Indoor Establishment of Crown Land Department.

The grant of £1000 to the College.

None of the surplus will be applied otherwise than to objects connected with the Colony, and accounts of the appropriation will be laid periodically before the Assembly.

In contemplating the surrender of this Revenue, it is to be observed, that the promotion of Emigration to New Brunswick, should the means of extensively encouraging it by pecuniary aid hereafter occur, will necessarily be devolved on the Legislature by this measure, instead of depending, as heretofore, on the Crown. I cannot, however, entertain the slightest doubt that the Legislature will always be most ready to foster any growing disposition of Emigrants to resort to New Brunswick—a disposition not less favorable to the augmentation of this particular Revenue, now proposed to be ceded to the Province, than conducive generally to the mutual advantage of the Colony, and of this Country.

It will be necessary that any Bill passed in consequence of the proposals contained in the present Dispatch should contain a suspending clause, in order that it may be submitted to His Majesty, before it is finally assented to. You will therefore inform the Assembly, that you are not authorized to accede to a Civil List Act, which shall not be thus reserved for His Majesty's pleasure. In order to prevent any misunderstanding and delay, it will also be proper that they should, at the same time, be apprised that unless some other fully equivalent, and sufficient security can be devised, it will be expected that the Act shall provide that the stipulated annual commutation shall be payable out of the first receipts in each year, or other stated period, of any Revenues or other monies that may be raised for the service of the Colony, whether under permanent or annual enactments; and that the Treasurer or Receiver of such Revenues should be empowered and directed to make the payments accordingly; and in the case of any default in such payment, that the whole of the Rights and Revenues surrendered should revert to, and be at the disposal of the Crown, as fully and absolutely as before the passing of the Act.

Having thus explained to you the conditions on which His Majesty would be advised to give up His Casual and Territorial Revenue in New Brunswick, I shall merely add the expression of my hope, that they may prove acceptable to the Assembly, and that in this attempt to meet their views, on so important a subject, they will

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recognize

recognize the disposition which exists to accede to the wishes of the Representatives of His Majesty's faithful subjects in New Brunswick.

I have the honor to be,

Sir,

Your most obedient humble servant,

(Signed)

E. G. STANLEY.

Major General Sir ARCHIBALD CAMPBELL,  
&c. &c. &c.

True Copy,

J. CAMPBELL, *Private Secretary.*

NEW BRUNSWICK.

*Message to the Legislative Council.*

*12th February, 1834.*

ARCHIBALD CAMPBELL.

THE Lieutenant Governor communicates to the Legislative Council, for their information, a copy of a Dispatch from the Right Honorable E. G. Stanley, Secretary of State for the Colonies, dated 31st July 1833, on the subject of the Quit Rents in this Province.

A. C.

*Downing-street, 31st July, 1833.*

SIR,

I have the honor to acknowledge the receipt of your Dispatch, dated 5th January, 1833, on the subject of Quit Rents, which owing to the loss of the Packet containing the original Dispatch, has only arrived within the last few days. My Dispatch No. 6, of the 1st of June last, will have informed you, that, in consequence of the suspension of the collection of Quit Rents in Nova Scotia, it is deemed necessary, that the same course should be taken in New Brunswick; but in order that this measure may not mislead you as to the views of His Majesty's Government, I must distinctly explain to you, that should it be found impracticable to effect a satisfactory arrangement with the Assembly for a Civil List, the collection of Quit Rents will be resumed.

I have the honor to be,

Sir,

Your most obedient humble servant,

E. G. STANLEY.

Major General Sir Archibald Campbell, G. C. B.  
&c. &c. &c.

True copy,

J. CAMPBELL, *Private Secretary.*

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**NEW BRUNSWICK.**  
*Message to the Legislative Council.*  
12th February, 1834.

**ARCHIBALD CAMPBELL.**

THE Lieutenant Governor informs the Legislative Council, that in obedience to the directions contained in a Dispatch from the Secretary of State, a copy of which is herewith sent, the Attorney General has been instructed to prepare the draft of a Bill, to be submitted to the Legislature, on the subject of Water Lots, and has thereon made a Report, a copy of which is also herewith sent for the information of the Legislative Council.

A. C.

*See Appendix, No. 1.*

Mr. F. P. Robinson presented the following Petitions :—

A Petition from certain Justices of the Peace in the County of Carleton, praying that an Act may be passed to alter the time of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in that County, from the first to the fourth Tuesday in June : and

A Petition from Charles Perley and others, praying an Act may pass to provide for the regulation of a Boom in the Meduxnikik river.

ORDERED, That the said Petitions be received and lie on the Table.

*Adjourned until to-morrow at 11 o' Clock.*

**THURSDAY, 13th February, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Shore.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Saunders.*

PRAYERS.

Mr. Simonds presented a Petition from John M. Wilmot, Esquire, and many others, resident in the City and County of Saint John, praying for an Act of Incorporation for a New Bank.

ORDERED, That the said Petition be received and lie on the Table.

Message from the Assembly, by Mr. Miles, with a Bill, intituled "A Bill to divide the Parishes of Burton and Lincoln, in the County of Sunbury, into three Parishes," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED.

ORDERED, That the said Bill stand for a second reading on Monday next.

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Secretary Odell, who having retired, the President read the same, and it was again read by the Clerk as follows :

**NEW BRUNSWICK.**  
*Message to the Legislative Council.*  
13th February, 1834.

ARCHIBALD CAMPBELL.

The Lieutenant Governor directs to be laid before the Council copies of a Dispatch, dated 8th August, 1833, and of the inclosures therein, from His Majesty's Secretary of State for the Colonies, on the subject of Representations conveyed to His Majesty's Government, by a Deputation from the Assembly of this Province.

A. C.

*See Appendix, No. 2.*

Message from the Assembly, by Mr. Street, with a Bill, intituled "A Bill in addition to, and in amendment of an Act, intituled 'An Act for relief against absconding Debtors,'" to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Monday.

*Adjourned until to-morrow at 11 o' Clock.*

FRIDAY, 14th February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

PRAYERS.

Mr. Saunders presented a Petition from Henry Smith, and four hundred and fifty Inhabitants of Fredericton, and the adjacent Country, praying for an Act of Incorporation for the establishment of a Bank, and that no Act may be assented to, for the increase of the Capital Stock of the Bank of New Brunswick, during the present Session of the Legislature.

ORDERED, That the said Petition be received and lie on the Table.

Mr. Shore presented a Petition from Thomas P. Marter, Provincial Tide Surveyor at the City of Saint John.

ORDERED, That the said Petition be received and lie on the Table.

Mr.

Mr. F. P. Robinson presented the following Petitions :—

A Petition from David Burpe and others, Inhabitants of the County of Sunbury, praying that an Act may be passed Incorporating a New Bank : and

A Petition from Richard Ketchum and others, Inhabitants of the County of Carleton, praying that an Act may be passed incorporating a New Bank.

ORDERED, That the said Petitions be received and lie on the Table.

Mr. Simonds presented the following Petitions :—

A Petition from John Kenney and others, Fishermen, residing in the City and County of Saint John, respecting the Fishery near the Island of Grand Manan.

A Petition from Nathaniel Dogget and John Dogget, praying that an alteration may be made in the time at present established for training days of the Militia, on the Island of Grand Manan : and

A Petition from the Commissioners of the Poor in Saint Andrews, in the County of Charlotte, praying to be reimbursed for monies expended in support of transient and emigrant Poor.

ORDERED, That the said Petitions be received and lie on the Table.

Read a second time, the Bill to authorize the Justices of the Peace in the County of Kent to levy an assessment upon the Inhabitants of the said County, to discharge the debts due from the same.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Read a second time, the Bill to provide for the establishing and maintaining of Booms, for securing Masts, Logs and Lumber in the County of Gloucester.

ORDERED, That the said Bill be committed to Mr. Cunard and Mr. Peters to report upon.

Read a second time, the Bill to provide for the regulation of a Boom or Booms for securing Masts, Logs and Lumber in Meduxnikik River in the County of Carleton.

ORDERED, That the said Bill be committed to Mr. Cunard and Mr. Peters to report upon.

Read a second time, the Bill to authorize the Justices of the Peace for the County of Charlotte, to levy an assessment towards paying off the debt due on the County Gaol, and the contingent expenses of the County.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Message from the Assembly, by Mr. Street, with a Bill, intituled "A Bill in addition to, and in amendment of an Act, intituled 'An Act for relief against absconding Debtors'" to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Monday next.

Mr. Saunders presented a Petition from Daniel Perley and others, Freeholders and Inhabitants of the County of York, praying that an Act may be passed giving to Grand Jurors power to investigate the County accounts, and more power than they at present possess.

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ORDERED,

ORDERED, That the said Petition be received and lie on the Table.

Mr. Cunard presented the following Petitions :—

A Petition from William Abrams, Commissioner of Buoys and Beacons for the Port of Miramichi, praying that a sum may be granted to defray the expence of erecting a Beacon on Point Escuminac :

A Petition from Alexander Davidson and others, praying a duty may be imposed on Foreign and Colonial Manufactured Leather imported into this Province :

A Petition from Jacob Carvel, a Courier between Fredericton and New-castle, praying that an allowance may be made him for services :

A Petition from Patrick Flanagan a Licenced School Master in Northumberland : and

A Petition from James Millar a Licenced School Master in Northumberland.

ORDERED, That the said Petitions be received and lie on the Table.

Message from the Assembly, by Mr. Hayward, with a Bill, intituled " A Bill to provide for the erecting of Fences and Gates across Highways in this Province," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Monday next.

*Adjourned until Monday at 11 o'clock.*

MONDAY, 17th February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Mr. Simonds presented a Petition from Robert Doak, late a Supervisor of Roads, praying that a grant may be made to remunerate him for a balance due on his accounts.

ORDERED, That the said Petition be received and lie on the Table.

Message from the Assembly, by Mr. Scott, with a Bill, intituled " A Bill to divide the Parish of Hopewell, in the County of Westmorland into two Parishes," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow. Read

Read a second time, the Bill to revive an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence."

ORDERED, That the said Bill be committed to Mr. Peters to report upon.

Read a second time, the Bill to divide the Parishes of Burton and Lincoln in the County of Sunbury into three Parishes.

ORDERED, That the said Bill be committed to Mr. Shore and Mr. Peters to report upon.

Read a second time, the Bill in addition to, and in amendment of an Act, intituled "An Act for relief against absconding Debtors."

ORDERED, That the said Bill be committed to Mr. Simonds and Mr. Saunders to report upon.

Read a second time, the Bill to provide for the erecting of Fences and Gates across Highways in this Province.

ORDERED, That the said Bill be committed to Mr. Shore and Mr. Peters to report upon.

Message from the Assembly, by Mr. Street, with a Bill, intituled "A Bill in addition to and in amendment of an Act made and passed in the fiftieth year of the Reign of His late Majesty King George the Third, intituled 'An Act to regulate the proceedings in actions of Replevin, and to enable the sale of goods distrained for rent, in case the rent be not paid in a reasonable time, and for the more effectual securing the payment of rents and preventing fraud by Tenants,'" to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Mr. Peters presented a Report from John Boyd, M. D. Inoculating Surgeon of the Vaccine Institution at Saint John.

ORDERED, That the said Report be received and lie on the Table.

Mr. Allanshaw presented the following Petitions:—

A Petition from the Justices of the Peace of the County of Charlotte, praying for Legislative aid to assist in paying off the debt due upon the new Gaol:

A Petition from James Douglas and others, praying that an allowance may be made to enable the Deputy Treasurer in Saint Andrews, to pay the rent of an Office in a convenient situation in the Town:

A Petition from Charles Leslie, praying that an allowance for teaching a School may be made to him:

A Petition from Flora M'Rae, praying for Legislative assistance:

A Petition from Harris Hatch and others, Inhabitants of Charlotte County, praying for the Incorporation of a New Bank to be established in the City of Saint John: and

A Petition from Samuel Connick and others, praying that public money may be expended from said Connick's to Whittier's Ridge, being part of the Great Road from Fredericton to Saint Andrews.

ORDERED, That the said Petitions be received and lie on the Table.

*Adjourned till to-morrow at 11 o'clock.*

**TUESDAY,**

TUESDAY, 18th February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Mr. Simonds presented the following Petitions :—

A Petition from the President, Directors and Company of the Bank of New Brunswick, praying for a renewal of their Charter, and an extension of the Capital Stock of the said Bank : and

A Petition from Ezekiel Barlow and others, Merchants and Inhabitants of the City of Saint John, and other parts of the Province, praying for an increase or extension of the Capital Stock of the Bank of New Brunswick.

ORDERED, That the said Petitions be received and lie on the Table.

ORDERED, That the Order for the second reading of the Bill to divide the Parish of Hopewell, in the County of Westmorland, into two Parishes, be discharged.

Mr. Cunard, from the Committee appointed to report upon the Bill to provide for the establishing and maintaining of Booms for securing Masts, Logs and Lumber in the County of Gloucester, reported the same.

ORDERED, That the report be received.

Mr. Peters, from the Committee appointed to report upon the Bill to divide the Parishes of Burton and Lincoln, in the County of Sunbury, into three Parishes, reported the same.

ORDERED, That the report be received.

Mr. Peters, from the Committee to whom was referred the Bill to provide for the regulation of a Boom or Booms for securing Masts, Logs and Lumber in the Meduxnikik river, in the County of Carleton, reported the same.

ORDERED, That the report be received.

Went into consideration of the said Bill.

On motion—Resolved, that the further consideration of the said Bill be postponed for three months.

Mr. Peters, from the Committee to whom was referred the Bill to provide for the erecting of Fences and Gates across Highways in this Province, reported the same.

ORDERED, That the report be received.

Went into the consideration of the said Bill.

On motion—Resolved, that the further consideration of the said Bill be postponed for three months.

Mr.



Mr. Simonds presented the following Petitions :—

A Petition from William Walker and others, Merchants, residing in the City of Saint John, praying an Act may be passed to incorporate them, for the purpose of opening Canals across the necks of land at the Falls of the river Saint John :

A Petition from E. D. W. Ratchford, praying for relief in certain proceedings against him on Treasury Bonds :

A Petition from the Justices of the Peace, for the City and County of Saint John, praying to be re-imbursed for expences in supplying indigent and distressed Emigrants within the City :

A Petition from certain Inhabitants of the Parish of Portland, in the County of Saint John, praying assistance to enable them to erect a Building for a School House, and to provide for the support of a male and female Teacher :

A Petition from Ebenezer Smith, and others, of the Parish of Hampton, in King's County, praying for a sum of money to be expended between Beatty's and the City of Saint John, on the old Westmorland road :

A Petition from certain Inhabitants of Sussex Vale, praying for a new Post road by the way of Loch Lomond :

A Petition from John Seaton, a School Master in the Parish of Portland :

A Petition from James Reynolds, a Ferry Man in Portland, praying for remuneration for service : and

A Petition from Daniel Ansley, and others, Manufacturers of Leather in the City of Saint John, praying relief in matters relating to their Trade.

ORDERED, That the said Petitions be received and lie on the Table.

Read a second time, the Bill in addition to and in amendment of an Act made and passed in the Fiftieth year of the Reign of His late Majesty King George the Third, intituled "An Act to regulate the proceedings in actions of Replevin, and to enable the Sale of Goods distrained for rent, in case the rent be not paid in a reasonable time, and for the more effectual securing of rents and preventing frauds by Tenants.

ORDERED, That the said Bill be committed to Mr. Saunders and Mr. Peters to report upon.

Mr. Allanshaw presented the following Petitions :—

A Petition from Harris Hatch, and others, Commissioners for building a Gaol in Saint Andrews, praying that an Act may be passed to assess the County of Charlotte the full amount due by the said County :

A Petition from John Pendlebery, Light House Keeper on the Machias Seal Island, praying for an increase of Salary : and

A Petition from Edward Lascelles, and others, praying for assistance in opening a road to a settlement in the Parish of Saint Patrick, in the County of Charlotte.

ORDERED, That the said Petitions be received and lie on the Table.

Mr. Botsford presented the following Petitions :—

A Petition from Thomas Addison, a Schoolmaster in Westmorland, praying compensation for services :

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A Petition from James Ross, employed in the Grammar School in Westmorland, praying his case may be taken into consideration :

A Petition from William Wilson, and others, resident in the County of Westmorland, praying for the Incorporation of a Bank, with the same privileges as the Bank of New Brunswick : and

A Petition from the Chancellor, President and Scholars of King's College, Fredericton, praying for leave to grant Leases of Block No. 7, in the Town Plat of Fredericton, for ninety-nine years.

ORDERED, That the said Petitions be received and lie on the Table.

Mr. Black presented a Petition from David Gable, and others, Bakers in the City of Saint John, praying a protecting duty may be imposed on Ship Bread, imported into this Province.

ORDERED, That the said Petition be received and lie on the Table.

Message from the Assembly, by Mr. Rankin, with the following Bills, to which they desire the concurrence of the House :

A Bill to lay a Tax on Dogs in certain parts of the Parishes of New Castle and Chatham, in the County of Northumberland : and

A Bill to continue an Act, intituled "An Act for the regulation of Booms for securing Masts Logs and Lumber in certain parts of the County of Northumberland."

Read the said Bills a first time.

ORDERED, That the said Bills stand for a second reading on Thursday next.

Message from the Assembly, by Mr. End, with a Bill, intituled "A Bill to provide for the punishment of cruelty to Animals," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Friday next.

*Adjourned until to-morrow at 11 o' Clock.*

WEDNESDAY, 19th February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

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

**A Bill to facilitate summary proceedings before Justices of the Peace, and the execution of Warrants by Constables :**

**A Bill further to amend an Act to continue and amend the Act for regulating assessments : and**

**A Bill to explain the Act, for preventing the importation and spreading of infectious distempers in the City of Saint John.**

Read a first time, the Bill to facilitate summary proceedings before Justices of the Peace, and the execution of Warrants by Constables.

**ORDERED,** That the said Bill be committed to Mr. Peters to report upon.

Read a first time, the Bill further to amend an Act to continue and amend the Act for regulating assessments.

**ORDERED,** That the said Bill stand for a second reading on Friday next.

Read a first time, the Bill to explain the Act for preventing the importation and spreading of infectious distempers in the City of Saint John.

**ORDERED,** That the said Bill stand for a second reading to-morrow.

Message from the Assembly, by Mr. Street, with the following Bills, to which they desire the concurrence of this House :

**A Bill to protect the Gaspereau Fishery in the Harbour and River of Miramichi, in the County of Northumberland : and**

**A Bill in amendment to an Act, intituled " An Act subjecting Real Estates in Province of New-Brunswick, to the payment of Debts, and directing the Sheriff in his proceedings thereon."**

Read a first time, the Bill to protect the Gaspereau Fishery in the Harbour and River of Miramichi, in the County of Northumberland.

**ORDERED,** That the said Bill stand for a second reading to-morrow.

Read a first time, the Bill in amendment of an Act, intituled " An Act subjecting Real Estates in the Province of New-Brunswick to the payment of Debts, and directing the Sheriff in his proceedings thereon."

**ORDERED,** That the said Bill be committed to Mr. Saunders to report upon.

Mr. Botsford presented the following Petitions :—

**A Petition from John M'Lean, a licenced School Master, in King's County, praying for an allowance for teaching a School : and**

**A Petition from Edward B. Chandler, Clerk of the Peace for the County of Westmorland, praying for omitted Grain Bounty claims, for the year 1832.**

**ORDERED,** That the said Petitions be received and lie on the Table.

Mr. Saunders presented a Petition from Alexander Grant, praying that his case may be taken into consideration.

**ORDERED,** That the said Petition be received and lie on the Table.

Mr. Simonds presented the following Petitions :—

A Petition from Azor Hoyt and others, praying a grant may be made for erecting a Bridge over the Kennebeckasis River, at Hampton Ferry : and

A Petition from Nehemiah Merritt and others, praying that some Light, Buoy or other mark be placed on the Quaco Ledge, in the Bay of Fundy.

ORDERED, That the said Petitions be received and lie on the Table.

Message from the Assembly, by Mr. Brown, with the following Bills, to which they desire the concurrence of this House.

A Bill to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts, and to enquire into the nature of the public charges against the said Counties : and

A Bill to continue an Act passed in the second year of His Majesty's Reign, intituled "An Act to empower the owners of the Saw Mill at the Rolling Dam on the River Digdeguash, in the County of Charlotte, to erect a Boom for securing of Saw Logs on the said River."

Read a first time, the Bill to authorize the Grand Jurors of the several Counties within this Province, and to inspect the Public Accounts, and to enquire into the nature of the public charges against the said Counties.

ORDERED, That the said Bill stand for a second reading on Friday next.

Read a first time, the Bill to continue an Act passed in the second year of His Majesty's Reign, intituled "An Act to empower the owners of the Saw Mill at the Rolling Dam on the River Digdeguash, in the County of Charlotte, to erect a Boom for the securing of Saw Logs on the said river."

ORDERED, That the said Bill stand for a second reading to-morrow.

Message from the Assembly, by Mr. Wyer, with a Bill intituled "A Bill to continue an Act passed in the Ninth year of the Reign of His Majesty King George the Fourth, intituled 'An Act to repeal all the laws now in force for the appointment of Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned.'"

ORDERED, That the said Bill stand for a second reading to-morrow.

*Adjourned until To-morrow at 11 o' Clock.*

THURSDAY, 20th February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. Simonds.*

*Mr.*

*Mr. Cunard.*  
*Mr. W. H. Robinson.*  
*Mr. Botsford.*

*Mr. Allanshaw.*  
*Mr. Saunders.*

**PRAYERS.**

Read a second time, the Bill to protect the Gaspereau Fishery in the harbour and river of Miramichi, in the County of Northumberland.

**ORDERED,** That the said Bill stand for a third reading to-morrow.

Read a second time, the Bill to explain the Act for preventing the importation and spreading of infectious Distempers, in the City of Saint John.

**ORDERED,** That the said Bill stand for a second reading to-morrow.

Read a second time, the Bill to continue an Act, intituled "An Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland."

**ORDERED,** That the said Bill stand for a third reading to-morrow.

Read a second time, the Bill to lay a Tax on Dogs, in certain parts of the Parish of Newcastle and Chatham, in the County of Northumberland, and amended the same as follows :—

Sect. II. at A. insert the word "appoint."

**ORDERED,** That the amendment be engrosed; and the Bill, as amended, read a third time to-morrow.

Read a second time, the Bill to continue an Act passed on the second year of His Majesty's Reign, intituled "An Act to empower the owners of the said Mill at the Rolling Dam on the River Digdeguash, in the County of Charlotte, to erect a Boom for the securing of Saw Logs on the said River."

**ORDERED,** That the said Bill stand for a third reading to-morrow.

Read a second time, the Bill to continue an Act passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled "An Act to repeal all the Laws now in force for the appointment of Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned."

**ORDERED,** That the said Bill stand for a third reading to-morrow.

Mr. Saunders, to whom was committed the Bill to authorize the Justices of the Peace for the County of Charlotte, to levy an assessment towards paying off the debt due on the County Gaol, and the contingent expenses of the County, reported the same.

**ORDERED,** That the report be received.

Went into consideration of the said Bill.

On motion—Resolved, that the further consideration of the said Bill be postponed for three months.

Read a second time, the Bill to divide the Parish of Hopewell, in the County of Westmorland, into two Parishes.

H

Wen

Went into consideration of the said Bill.

On motion—That the further consideration of the said Bill be postponed for three months, the Council divided—

## CONTENT.

Mr. Chief Justice.  
Mr. Shore.  
Mr. Peters.  
Mr. Simonds.  
Mr. Allanshaw.  
Mr. W. H. Robinson.  
Mr. Saunders.

## NON CONTENT.

Mr. Black.  
Mr. Cunard.  
Mr. Botsford.

And it was passed in the affirmative.

Mr. Peters, to whom was committed the Bill to revive an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province, without licence," reported the same.

ORDERED, That the report be received.

Mr. Saunders, to whom was committed the Bill in amendment of an Act, intituled "An Act subjecting Real Estates in the Province of New Brunswick, to the payment of Debts, and directing the Sheriff in his proceedings thereon," reported the same.

ORDERED, That the report be received.

Mr. Shore presented a Petition from David Phillips and Henry Jones, praying that an Act may be passed to alter the line which divides the Counties of York and Carleton.

ORDERED, That the said Petition be received and lie on the Table.

Mr. Peters presented a Petition from Mary E. Brown, praying for Legislative assistance for teaching a School in the County of Sunbury.

ORDERED, That the said Petition be received and lie on the Table.

Mr. Saunders presented a Petition from Catherine Dayton, teacher of a School in Fredericton, praying for Legislative assistance.

ORDERED, That the said Petition be received and lie on the Table.

*Adjourned until To-morrow at 11 o' Clock.*

FRIDAY, 21st February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.  
Mr. Peters.*

*Mr. Shore.*

*Mr. F. P. Robinson.*

*Mr.*

*Mr. Simonds.*  
*Mr. Allanshaw.*  
*Mr. Botsford.*

*Mr. Cunard.*  
*Mr. Saunders.*

PRAYERS.

Read a third time, as amended, and passed the Bill to lay a tax on Dogs in certain parts of the Parishes of New Castle and Chatham, in the County of Northumberland.

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

Read a third time, and passed the Bill to authorize the Justices of the Peace, in the County of Kent, to levy an assessment upon the Inhabitants of the said County, to discharge the debts due from the same.

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

Read a third time, and passed the Bill to continue an Act, intituled "An Act for the regulation of Booms for securing Masts, Logs and Lumber, in certain parts of the County of Northumberland."

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

Read a third time, and passed the Bill to explain the Act for preventing the importation and spreading of Infectious Distempers in the City of Saint John.

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

Read a third time, and passed the Bill to protect the Gasperreau Fishery in the Harbour and River of Miramichi, in the County of Northumberland.

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

Read a third time, and passed the Bill to continue an Act passed in the second year of His Majesty's Reign, intituled "An Act to empower the owners of the Saw Mill at the Rolling Dam, on the River Digdeguash, in the County of Charlotte, to erect a Boom for the securing of Saw Logs on the said River."

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

Read a third time, and passed the Bill to continue an Act passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled "An Act to repea

repeal all the Laws now in force for the appointment of Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned."

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

On motion, that the House do go into consideration of the Bill to provide for the establishing and maintaining of Booms for securing Masts, Logs and Lumber in the County of Gloucester, the House divided—

## CONTENT.

Mr. Black.  
Mr. Peters.  
Mr. Simonds.  
Mr. Cunard.  
Mr. Allanshaw.  
Mr. Saunders.

## NON CONTENT.

Mr. Chief Justice.  
Mr. Shore.  
Mr. F. P. Robinson.  
Mr. Botsford.

And it passed in the affirmative.

Went into the consideration of the said Bill, and on the question whether the same be agreed to, the House divided—

## CONTENT.

Mr. Black.  
Mr. Peters.  
Mr. Simonds.  
Mr. Cunard.  
Mr. Allanshaw.  
Mr. Saunders.

## NON CONTENT.

Mr. Chief Justice.  
Mr. Shore.  
Mr. F. P. Robinson.  
Mr. Botsford.

And it passed in the affirmative.

Read a third time and passed the said Bill.

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

Read a second time, the Bill to provide for the punishment of cruelty to animals.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Read a second time, the Bill to authorize the Grand Jurors of the several Counties within this Province to inspect and to enquire into the nature of the Public charges against the said Counties.

Read a second time, the Bill further to amend an Act, to continue and amend the Act for regulating assessments.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Mr. Simonds presented the following Petitions:—

A Petition from George Hamilton, a School Master in the County of York, praying that an allowance may be made to him for teaching a School.



A Petition from Henry G. Clopper, Deputy Province Treasurer, in York County, praying a Commission may be allowed him on monies paid over by him to the Collector and Controller of the Customs, at the Port of Saint John.

ORDERED, That the said Petitions be received and lie on the Table.

Mr. Cunard presented a Petition from the Reverend Michael M'Sweeney, praying remuneration for superintending the Spiritual concerns of the Milicite Tribe of Indians.

ORDERED, That the said Petitions be received and lie on the Table.

Mr. Saunders moved for leave to bring in a Bill for the further regulation of the formation of the Court of Governor and Council, for the determination of all suits and controversies touching and concerning Marriage and Divorce.

Leave granted.

The said Bill being brought in was read a first time.

ORDERED, That the said Bills stand for a second reading on Tuesday next.

*Adjourned until Monday at 11 o'clock.*

**MONDAY, 24th February, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

Went into consideration of the Bill to revive an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without licence;" and on the question whether the further consideration of the Bill be postponed until to-morrow, the House divided—

CONTENT.

Mr. Chief Justice.

Mr. Shore.

Mr. F. P. Robinson.

Mr. W. H. Robinson.

Mr. Saunders.

Mr. Botsford.

NON CONTENT.

Mr. Black.

Mr. Peters.

Mr. Simonds.

Mr. Cunard.

Mr. Allanshaw.

And it passed in the affirmative.

Message from the Assembly, by Mr. Wyer, with a Bill, intituled "A Bill to continue and amend the Acts relating to the Herring Fisheries in the County of Charlotte," to which they desire the concurrence of this House. Read

Read the said Bill a first time.

ORDERED, That the said Bill be committed to Mr. Allanshaw to report upon.

Message from the Assembly, by Mr. Chandler, with the following Bills, to which they desire the concurrence of this House;

A Bill for taking an account of the Population of this Province: and

A Bill to authorize the Justices of the Peace in the County of Westmorland, to levy an assessment upon the Inhabitants of said County, to discharge the debts due from the said County.

The said Bills were severally read a first time.

ORDERED, That the said Bills stand for a second reading to-morrow.

Message from the Assembly, by Mr. Allen, with the following Bills, to which they desire the concurrence of this House:

A Bill to prevent Desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters: and

A Bill to repeal the York County Alms House and Work House Act, so far as relates to the Parish of Queensbury.

The said Bills were severally read a first time.

ORDERED, That the said Bills stand for a second reading on Thursday next.

Mr. Botsford presented a Petition from Thomas Burnett, a School Master in King's County, praying that his case may be taken into consideration.

ORDERED, That the said Petition be received and lie on the Table.

Mr. Simonds presented the following Petitions:—

A Petition from John Ward, and many other persons residing in the City of Saint John, praying that no duty be laid on goods imported into this Province from the Parent State:

A Petition from George Brown, and others, Inhabitants of Quaco, in the County of Saint John, praying that the line of road by the way of Lake Lomond, be adopted as the main post road to Nova Scotia:

A Petition from James Kirk, and others, Merchants in the City of Saint John, praying that the Legislature will take into consideration some measure to relieve them from the Duty now laid on Flour:

A Petition from the Chamber of Commerce in Saint John, praying a relief from Duty on certain enumerated articles necessary for prosecuting the South Sea Whale Fishery:

A Petition from William Leavitt, and two others, praying for a return of Duty paid on certain articles shipped on board the Mozambique Whale Ship, owned by them:

A Petition from William Leavitt, and two others, praying a sum may be granted to them, by way of Bounty for their early attempt in prosecuting the South Sea Whale Fishery, and in consequence of the great advances they have been obliged to make:

A Petition from the Trustees of the Saving's Bank, in the City of Saint John, setting out their case, and praying at the hands of the Legislature for such relief as the peculiar hardship of it may be considered to require:

A

A Petition from the President and Directors of the New Brunswick Fire Insurance Company, praying a sum of money be allowed them for interest, for reasons set forth in their Petition.

A Petition from John Ward, and others, in the City of Saint John, praying that the Post route to Nova Scotia may be changed from its present course, and be established on a new line by way of Lake Lomond :

A Petition from John Jordan, and others, praying a sum may be allowed them, for exploring a road from Sussex Vale to Saint John, by way of Lake Lomond :

A Petition from the Chamber of Commerce in Saint John, praying that some public measure may be adopted, to induce His Majesty's Government to concede to Foreigners, all the rights and privileges enjoyed by them in the United Kingdom, and to remove every restriction, which may prevent their settlement in this Province : and

A Petition from certain Inhabitants of the Black River settlement, in the County of Saint John, praying a sum of money may be granted to be expended on a road in that neighbourhood.

ORDERED, That the said Petitions be received and lie on the Table.

Mr. Cunard presented a Petition from Patrick Henderson, of the County of Northumberland, praying for relief on an Extent, under which his property is now bound.

ORDERED, That the said Petitions be received and lie on the Table.

*Adjourned until To-morrow at 11 o' Clock.*

TUESDAY, 25th February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

Mr. Simonds presented the following Petitions :—

A Petition from Amos Seaman, of Cumberland, in the Province of Nova Scotia, praying a drawback on two Puncheons of Rum :

A Petition from Robert Ferguson, and others, in the County of Gloucester, praying that an Act may be passed to provide for the summary punishment of persons maliciously injuring Timber and Logs :

A Petition from Robert Ferguson, and others, praying that, at the public expense,

pense, a new line of road may be explored and opened between Bathurst and Campbell Town, in the County of Gloucester :

A Petition from Francis Esson, praying assistance for having taught a School in the County of Gloucester : and

Petitions from thirteen hundred persons, Inhabitants of the Parishes of Newcastle, Chatham, Nelson, Northesk, Glencg, Alnwick, Blackville, Blissfield, and Ludlow; in the County of Northumberland, praying that the Legislature will not permit a Bill to pass, authorizing the County to be assessed for the expense of the erection of a Lock-up House in the Parish of Chatham, or any Bill which will cause such a building to be established there.

**ORDERED**, That the said Petitions be received and lie on the Table.

Read second time, and went into consideration of the Bill in amendment of an Act, intituled "An Act subjecting Real Estates in the Province of New Brunswick to the payment of Debts, and directing the Sheriff in his proceedings thereon ;" and amended the same as follows :—

At A. dele the whole Section.

At B. in the Title, insert the word "further."

**ORDERED**, That the amendments be engrossed.

On motion that the House do go into consideration of the Bill to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts, and to enquire into the nature of the public charges against the said Counties, the House divided—

Content 10.

Non Content 1.

And it was decided in the affirmative.

Went into consideration of the said Bill.

On motion—Resolved, That the further consideration of the said Bill be postponed for three months.

Went into consideration of the Bill to revive an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence."

On motion that the further consideration of the said Bill be postponed for three months, the House divided—

**CONTENT.**

Mr. Shore.  
Mr. F. P. Robinson.  
Mr. Saunders.  
Mr. Botsford.

**NON CONTENT.**

Mr. Chief Justice.  
Mr. Black.  
Mr. Peters.  
Mr. Simonds.  
Mr. Cunard.  
Mr. Allanshaw.  
Mr. W. H. Robinson.

And it passed in the negative.

Read the said Bill a third time.

On the question whether the said Bill do pass, the House divided—

**CONTENT.**

CONTENT.  
 Mr. Chief Justice.  
 Mr. Black.  
 Mr. Peters.  
 Mr. Simonds.  
 Mr. Cunard.  
 Mr. Allanshaw.  
 Mr. W. H. Robinson.

NON CONTENT.  
 Mr. Shore.  
 Mr. F. P. Robinson.  
 Mr. Saunders.  
 Mr. Botsford.

And it passed in the affirmative.

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

Mr. Peters, to whom was committed the Bill to facilitate sundry proceedings before Justices of the Peace, and the execution of Warrants by Constables, reported the same.

ORDERED, That the report be received.

Mr. Saunders, to whom was committed the Bill to provide for the punishment of cruelty to animals, reported the same.

ORDERED, That the report be received.

Message from the Assembly, by Mr. Brown, with a Bill, intituled "A Bill to authorize and empower the Justices of the Peace for the County of Charlotte, to lease a part of the public landing at Salt Water, in the Parish Saint Stephen, and to invest the proceeds in making improvements on the premises, and for the support of the Poor of the said Parish," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Thursday next.

Message from the Assembly, by Mr. Street, with the following Bills, to which they desire the concurrence of this House :

A Bill to authorize the Justices of the Peace in the several Counties in this Province, to make assessments for the payment of County Officers, and also to authorize the Justices of the Peace for the County of Northumberland to make further provisions for the payment of the Treasurer of that County : and

A Bill to continue the Laws relating to the Fisheries in the County of Northumberland.

Read the said Bills severally a first time.

ORDERED, That the said Bills stand for a second reading on Thursday next.

ORDERED, That the Order for the second reading of the Bill for the further regulation of the formation of the Court of Governor and Council for the determination of all suits and controversies touching and concerning Marriage and Divorce, be discharged.

*Adjourned till To-morrow at 11 o'clock.*

K

WEDNESDAY,

WEDNESDAY, 26th February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Read a third time, as amended, and passed the Bill in amendment of an Act, intituled "An Act subjecting Real Estates in the Province of New Brunswick, to the payment of Debts, and directing the Sheriff in his proceedings thereon."

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

On motion—Went into consideration of the Bill further to amend an Act to continue and amend the Act for regulating Assessments, and amended the same as follows:

At A. insert the words "now in force or."

At B. insert the word "hereafter."

ORDERED, That the amendments be engrossed.

Read a third time, and passed the said Bill as amended.

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

Read a second time, the Bill for taking an account of the Population of this Province.

ORDERED, That the said Bill stand for a third reading to-morrow.

Read a second time, the Bill to authorize the Justices of the Peace for the County of Westmorland to levy an Assessment upon the Inhabitants of the said County, to discharge the debts due from the said County.

ORDERED, That the said Bill stand for a third reading to-morrow.

Mr. Allanshaw, to whom was committed the Bill to continue and amend the Acts relating to the Herring Fisheries in the County of Charlotte, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

ORDERED, That the said Bill stand for a third reading to-morrow.

Message from the Assembly, by Mr. Chandler, with a Bill, intituled "A Bill to amend an Act, intituled 'An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof,'" to which they desire the concurrence of this House.

Read

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Message from the Assembly, by Mr. End, with a Bill, intituled "A Bill in addition to, and in amendment of, the several Acts now in force to provide for sick and disabled seamen, not being paupers belonging to this Province, so far as the same relate to the County of Gloucester," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Read a second time, the Bill for the further regulation of the formation of the Court of Governor and Council for the determination of all suits and controversies touching and concerning Marriage and Divorce.

Ordered that the said Bill be engrossed.

Mr. Allanshaw presented the following Petitions :—

A Petition from James Rait, of Saint Andrews, in the County of Charlotte, praying that the question of the inexpediency and impolicy of continuing the additional duty on Rum, may be taken into consideration, for reasons set out in the Petition :

A Petition from Thomas Armstrong and others, Magistrates and principal Inhabitants of the Parish of Saint Stephen, in Charlotte County, praying that an Act may be passed to authorize the Magistrates of the said County, to erect certain Buildings on the Public Landing in the said Parish :

A Petition from James Carter, praying for remuneration for teaching a School in the Parish of Saint Andrews, in the County of Charlotte: and

A Petition from James Rait and others, Inhabitants of Saint Andrews, in Charlotte County, on the subject of the Law now in force, respecting Buoys and Beacons within the inner Bay of Passamaquody, and praying that no alteration may be made in the Law now in force.

ORDERED, That the said Petitions be received and lie on the Table.

Read a second time, the Bill to facilitate summary proceedings before Justices of the Peace, and the execution of Warrants by Constables, and amended the same as follows :—

At A. insert the words " in this Province."

At B. insert the words " or of this Provincec."

ORDERED, That the amendments be engrossed.

*Adjourned until To-morrow at 11 o' Clock.*

THURSDAY, 27th February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr.*

*Mr. Peters.*  
*Mr. Simonds.*  
*Mr. Allanshaw.*  
*Mr. Saunders.*

*Mr. F. P. Robinson.*  
*Mr. Cunard.*  
*Mr. W. H. Robinson.*  
*Mr. Botsford.*

## PRAYERS.

Read a third time, and passed the Bill to provide for the punishment of cruelty to animals.

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

Read a third time, and passed the Bill for taking an account of the population of this Province.

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

Read a third time, and passed the Bill to authorize the Justices of the Peace in the County of Westmorland, to levy an assessment upon the Inhabitants of said County, to discharge the debts due from said County.

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

Read a second time, the Bill to continue the Laws relating to the Fisheries in the County of Northumberland.

ORDERED, That the said Bill stand for a third reading to-morrow.

Read a second time, the Bill to authorize and empower the Justices of the Peace, for the County of Charlotte, to lease a part of the Public Landing at Salt Water, in the Parish of Saint Stephen and to invest the proceeds in making improvements on the premises, and for the support of the Poor of the said Parish.

ORDERED, That the said Bill be committed to Mr. Allanshaw to report upon.

Read a third time, and passed the Bill to continue and amend the Acts relating to the Herring Fisheries in the County of Charlotte.

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

Read a second time, the Bill to authorize the Justices of the Peace in the several Counties in this Province, to make assessments for the payment of County Officers, and also to authorize the Justices of the Peace for the County of Northumberland, to make further provision for the payment of the Treasurer of that County.

ORDERED, That the said Bill be committed to Mr. Saunders and Mr. Simonds to report upon.

Read a second time, the Bill in addition to, and in amendment of the several Acts



Acts now in force to provide for sick and disabled Seamen, not being Paupers belonging to this Province, so far as the same relate to the County of Gloucester.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Read a second time, the Bill to amend an Act, intituled "An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof."

ORDERED, That the said Bill be committed to Mr. Botsford to report upon.

Went into consideration of the Bill to divide the Parishes of Burton and Lincoln, in the County of Sunbury, into three Parishes.

On motion—Resolved, that the further consideration of the said Bill be postponed for three months.

Message from the Assembly, by Mr. Kinnear, with the following Bills, to which they desire the concurrence of this House :

A Bill to authorize the Justices of the General Sessions of the Peace, for the City and County of Saint John, to levy an assessment to enable them to pay off the County Debt : and

A Bill more effectually to punish the crime of Forgery.

Read the said Bills severally a first time.

ORDERED, That the said Bills stand for a second reading on Monday next.

Read a second time, the Bill to repeal the York County Alms House and Work House Act, so far as relates to the Parish of Queensbury.

ORDERED, That the said Bill be committed to Mr. Simonds to report upon.

Message from the Assembly, by Mr. Hayward, with a Bill, intituled "A Bill to continue an Act to provide for the erection of Fences with Gates across Highways, leading through intervale lands in Queen's County, and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County."

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Monday next.

Read a second time, the Bill to prevent Desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters.

ORDERED, That the said Bill stand for a third reading to-morrow.

Mr. Simonds presented a Petition from John Millar, Deputy Treasurer at Bathurst, praying an allowance may be made to him for services performed, and expenses incurred in a particular case set out in the Petition.

ORDERED, That the said Petition be received and lie on the Table.

Mr. Shore presented a Petition from Richard Greaves, Major, commanding His Majesty's 34th Regiment of Foot, on behalf of himself and the Officers of the Regiment stationed in the Province, praying a drawback of Provincial Duty on articles imported into this Province, for reasons set out in the Petition.

ORDERED, That the said Petition be received and lie on the Table.

L

Mr.

Mr. Allanshaw presented a Petition from James Chaffey, and others, Merchants and Inhabitants of West Isles, and Campo Bello, in the County of Charlotte, praying that an Act may be passed to exempt Vessels, in certain cases, from the payment of Beacon money, at the Harbour of Saint Andrews.

ORDERED, That the said Petition be received and lie on the Table.

Mr. Saunders, from the Committee to whom was referred the Bill in addition to, and in amendment of an Act, intituled "An Act for relief against absconding Debtors," reported the same.

ORDERED, That the report be received.

*Adjourned until To-morrow at 11 o' Clock.*

FRIDAY, 23th February, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Read a third time, and passed the Bill to prevent Desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters.

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

Mr. Simonds, to whom was committed the Bill to repeal the York County Alms House and Work House Act, so far as relates to the Parish of Queensbury, reported the same.

ORDERED, That the report be received.

Mr. Botsford, to whom was committed the Bill to amend an Act, intituled "An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof," reported the same.

ORDERED, That the report be received.

Mr. Cunard, to whom was committed the Bill in addition to, and in amendment of the several Acts now in force to provide for sick and disabled Seamen, not being Paupers belonging to this Province, so far as the same relate to the County of Gloucester, reported the same.

ORDERED, That the report be received.

Read

Read a third time, as engrossed, and passed the Bill for the further regulation of the formation of the Court of Governor and Council, for the determination of all suits and controversies, touching and concerning Marriage and Divorce.

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

Mr. Simonds, from the Committee to whom was committed the Bill to authorize the Justices of the Peace in the several Counties in this Province to make assessments for the payment of County Officers, and also to authorize the Justices of the Peace for the County of Northumberland, to make further provision for the payment of the Treasurer of that County, reported the same.

ORDERED, That the report be received.

Mr. Allanshaw, to whom was committed the Bill to authorize and empower the Justices of the Peace for the County of Charlotte, to lease a part of the Public Landing at Salt Water, in the Parish of Saint Stephens and to invest the proceeds in making improvements on the premises, and for the support of the Poor of the said Parish, reported the same.

Went into consideration of the said Bill.

On motion—Resolved, that the further consideration of the said Bill be postponed for three months.

Resumed the consideration of the Bill to facilitate Summary Proceedings before Justices of the Peace, and the execution of Warrants by Constables, as amended.

On motion the amendments were withdrawn.

Read a third time, and passed the said Bill.

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

Message from the Assembly, by Mr. Wyer, with the following Bills, to which they desire the concurrence of this House :

A Bill to authorize the Justices of the Peace for the County of Charlotte, to levy an assessment towards paying off the County Debt, and for other purposes therein mentioned : and

A Bill to provide for the safe keeping of County Records.

Read the said Bills severally a first time.

ORDERED, That the said Bills stand for a second reading on Monday next.

Message from the Assembly, by Mr. Kinnear, with the following Bills, to which they desire the concurrence of this House :

A Bill for granting Patents for useful Inventions :

A Bill to incorporate sundry persons by the name of the President, Directors and Company of the Commercial Bank of New Brunswick : and

A Bill for further improving the administration of Justice in criminal cases.

Read the said Bills severally a first time.

ORDERED, That the said Bills stand for a second reading on Monday next.

Message

Message from the Assembly, by Mr. Brown, with the following Bills, to which they desire the concurrence of this House :

A Bill to repeal the Laws now in force for the better securing of the navigation of the Inner Bay of Passamaquoddy within Deer Island, and to make more effectual provision for the same : and

A Bill to authorize the Justices of the Peace for the County of Charlotte to levy an assessment on a part of the inhabitants of the Parish of Saint Stephen, for the purpose of purchasing a Fire Engine, and for other purposes.

Read the said Bills severally a first time.

ORDERED, That the said Bills stand for a second reading on Monday next.

Message from the Assembly, by Mr. Hill, with a Bill, intituled " A Bill to authorize the Justices of the Peace, in the several Counties of this Province, in their General Sessions, to make regulations relating to Horse-Racing and disorderly Riding on the Public Streets and Highways of the Province," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Monday next.

Mr. F. P. Robinson presented the following Petitions :—

A Petition from Samuel Gilchrist praying to be remunerated for teaching a School in York County : and

A Petition from Michael McNally, praying that an allowance may be made to him, for teaching a School in York County.

ORDERED, That the said Petitions be received and lie on the Table.

*Adjourned until Monday at 11 o'clock.*

MONDAY, 3rd March, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Read a third time, and passed the Bill to amend an Act, intituled " An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof."

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint

quaint that House, that the Legislative Council have agreed to this Bill without any amendment.

Read a second time, the Bill to repeal the Laws now in force for the better securing of the navigation of the Inner Bay of Passamaquoddy within Deer Island, and to make more effectual provision for the same.

ORDERED, That the said Bill be committed to Mr. Allanshaw to report upon.

Read a second time, the Bill for further improving the administration of Justice in Criminal cases.

ORDERED, That the said Bill be committed to Mr. Saunders and Mr. Allanshaw to report upon.

Read a second time, the Bill more effectually to punish the crime of Forgery.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Read a second time, the Bill for granting Patents for useful Inventions.

ORDERED, That the said Bill be committed to Mr. Simonds and Mr. Cunard to report upon.

Read a second time, the Bill to authorize the Justices of the General Sessions of the Peace, for the City and County of Saint John, to levy an assessment to enable them to pay off the County debt.

ORDERED, That the said Bill be committed to Mr. Simonds to report upon.

Read a second time, the Bill to authorize the Justices of the Peace for the County of Charlotte, to levy an Assessment on a part of the Inhabitants of the Parish of Saint Stephen, for the purpose of purchasing a Fire Engine, and for other purposes.

On Motion—Resolved, That the further consideration of the said Bill be postponed for three months.

Read a second time, the Bill to authorize the Justices of the Peace for the County of Charlotte, to levy an assessment towards paying off the County Debt, and for other purposes therein mentioned.

ORDERED, That the said Bill stand for a third reading on Thursday next.

Read a third time, and passed the Bill in addition to, and in amendment of, the several Acts now in force, to provide for sick and disabled Seamen, not being paupers, belonging to this Province, so far as the same relates to the County of Gloucester.

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

Read a third time, and passed the Bill to authorize the Justices of the Peace in the several Counties in this Province, to make Assessments for the payment of County officers, and also to authorize the Justices of the Peace for the County of Northumberland to make further provision for the payment of the Treasurer of that County.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint

quaint that House, that the Legislative Council have agreed to this Bill without any amendment.

Mr. Simonds gave notice that he would, on Wednesday next, move the House on the subject of the deliberations of the House being public, by opening the doors of the Council Chamber.

Read a second time the following Bills :

A Bill to continue an Act to provide for the erection of Fences with Gates across Highways leading through Interval Lands, in Queen's County, and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County : and

A Bill to provide for the safe keeping of County Records.

ORDERED, That the said Bills severally stand for a third reading on Thursday next.

Message from the Assembly, by Mr. Scott, with sundry Resolutions of Appropriation, dated 26th February last, to which they desire the concurrence of this House.

Message from the Assembly, by Mr. Street, that they have agreed to the amendments made to the Bill in amendment of an Act, intituled "An Act subjecting Real Estates in the Province of New Brunswick to the payment of Debts, and directing the Sheriff in his proceedings thereon."

Mr. Simonds moved for leave to bring in a Bill to authorize the Sale or Mortgage of the Estates of Persons found Lunatic by Inquisition in this Province, the granting of Leases of the same, and the conveyance of Estates held in Trust by Lunatics or Idiots.

Leave granted.

The said Bill being brought in, was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Message from the Assembly, by Mr. End, with a Bill, intituled "A Bill to continue the Acts now in force for the relief of insolvent confined Debtors."

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Went into consideration of the Bill to repeal the York County Alms House and Work House Act, so far as relates to the Parish of Queensbury.

On Motion—Resolved, That the further consideration of this Bill be postponed for three months.

Message from the Assembly, by Mr. S. Humbert, with sundry Resolutions of Appropriation, dated 27th and 28th February last, to which they desire the concurrence of this House.

Read a second time, and went into consideration of the Bill to authorize the Justices of the Peace, in the several Counties of this Province, in their General Sessions, to make regulations relating to Horse Racing and Disorderly Riding in the Public Streets and Highways of the Province.

On

On motion, that the further consideration of the said Bill be postponed for three months, the House divided—

CONTENT.  
 Mr. Chief Justice.  
 Mr. Shore.  
 Mr. F. P. Robinson.  
 Mr. Cunard.  
 Mr. W. H. Robinson.  
 Mr. Botsford.

NON CONTENT.  
 Mr. Black.  
 Mr. Simonds.  
 Mr. Allanshaw.  
 Mr. Saunders.

And it therefore passed in the affirmative.

Message from the Assembly, by Mr. Hayward, with a Bill, intituled "A Bill to amend the Laws for the organization and regulation of the Militia," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Mr. Botsford presented a Petition from Simon Wilcox, a Commissioner of Bye Roads, in King's County, praying to be allowed the amount of certain costs paid by him in a prosecution necessarily carried on by him in the line of his duty.

ORDERED, That the said Petition be received and lie on the Table.

ORDERED, That the Order for the second reading of the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Commercial Bank of New Brunswick, be enlarged until to-morrow.

Mr. Simonds presented a Certificate from the Recorder of the City of Saint John upon a local Bill, and on the question whether the Certificate be considered sufficient to satisfy the rule of this House with regard to local Bills, the House divided—

CONTENT.  
 Mr. Black.  
 Mr. Simonds.  
 Mr. W. H. Robinson.  
 Mr. Saunders.

NON CONTENT.  
 Mr. Chief Justice.  
 Mr. Shore.  
 Mr. F. P. Robinson.  
 Mr. Cunard.  
 Mr. Allanshaw.  
 Mr. Botsford.

And it therefore passed in the negative.

Mr. Cunard, to whom was committed the Bill to continue laws relating to the Fisheries in the County of Northumberland, reported the same.

ORDERED, That the report be received.

*Adjourned until To-morrow at 11 o'clock.*

**TUESDAY,**

**TUESDAY, 4th March, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Read a second time, the Bill to incorporate sundry Persons by the name of the President, Directors, and Company of the Commercial Bank of New Brunswick.

ORDERED, That the said Bill be committed to Mr. Simonds, Mr. Allanshaw, and Mr. Saunders to report upon.

Read a second time, the Bill to authorize the Sale or Mortgage of the Estates of Persons found Lunatic by Inquisition in this Province, the granting of Leases of the same, and the conveyance of Estates held in Trust by Lunatics or Idiots.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Message from the Assembly, by Mr. Allen, with a Bill, intituled "A Bill to alter the division line between the Counties of York and Carleton," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Thursday next.

Mr. Allanshaw, to whom was committed the Bill to repeal the Laws now in force for the better securing of the Navigation of the Inner Bay of Passamaquoddy within Deer Island, and to make more effectual provision for the same, reported the same.

ORDERED, That the report be received.

Went into consideration of the said Bill.

On Motion—Resolved, That the further consideration of the said Bill be postponed for three months.

Read a second time, the Bill to continue the Acts now in force for the relief of insolvent confined Debtors.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

Read a second time, the Bill to amend the Laws for the organization and regulation of the Militia.

On motion, that the consideration of this Bill be postponed for three months, the House divided—



## CONTENT.

Mr. Chief Justice.  
 Mr. Black.  
 Mr. Shore.  
 Mr. F. P. Robinson.  
 Mr. Cunard.  
 Mr. W. H. Robinson.  
 Mr. Saunders.  
 Mr. Botsford.

## NON CONTENT.

Mr. Simonds.  
 Mr. Allanshaw.

And it therefore passed in the affirmative.

Mr. Saunders, to whom was committed the Bill more effectually to punish the crime of Forgery, reported the same.

ORDERED, That the report be received.

Mr. Saunders, from the Committee appointed to prepare Rules proper to be adopted as the Rules and Standing Orders of this House, reported the same.

ORDERED, That the report be received.

On Motion—Ordered, That the House do, on Friday next, go into consideration of the Report.

A Message from His Excellency the Lieutenant Governor, was delivered by the Honorable Mr. Secretary Odell, who having retired, the President read the same, and it was again read by the Clerk, and is as follows :—

NEW-BRUNSWICK,  
*Message to the Legislative Council,*  
 4th March, 1834.

ARCHIBALD CAMPBELL.

THE Lieutenant Governor communicates to the Council, a Copy of a Despatch from His Majesty's Secretary of State for the Colonies, dated 1st. January, 1834, on the subject of an Act passed in March, 1832, to extend the privilege of solemnizing Marriage to Ministers of certain Religious Congregations in this Province.

A. C.

[COPY.]

“ *Downing-Street, 1st January, 1834.*”

“SIR,

“ I have the honor to acquaint you, that it has not been deemed proper to confirm, in its present shape, an Act passed by the Legislature of New Brunswick, in March 1832, intituled “ An Act to extend the privilege of solemnizing Marriage to Ministers of certain Religious Congregations in this Province, and to make further Regulations on this subject.” It is not without great regret that His Majesty has been advised to withhold his assent from this law ; and His Majesty trusts that the Legislative Council and Assembly will concur with you in the enactment of a further Bill, which will remove the obstacles that oppose the confirmation of the one now under consideration.

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“ The

“The present Act is confined in its operation to four denominations of Christians, namely—the Wesleyan Methodists, the Baptists, the Presbyterian Seceders from the Kirk of Scotland, and the Independents. It requires that, before a Minister of any of these persuasions may solemnize Marriages, he shall obtain a Licence for the purpose from the Governor—and the applicant must satisfy the Governor that he really belongs to one of the Bodies for whose relief the Act has been passed, and must produce to the Governor his Certificate or Letters of Ordination, which must be derived from some British Convocation, Synod, Conference or Association, and be according to the forms and usages of the denomination of Christians to which the Minister belongs.

“To these enactments there appear to be two objections.

“The first objection is, that the Governor, unless be possessed a most unusual acquaintance with a very obscure branch of ecclesiastical history, could not determine whether a Minister had been regularly ordained according to the forms of the denomination to which he belongs. In Churches which the Law has established, the Law has also ascertained what Ordinations are valid, but in dissenting Societies, opinions and the usages to which they give birth, are in a state of ceaseless change. What are the authorities, written or oral, to which the Governor must resort, in case of dispute, to determine whether the Petitioner for a Licence was regularly ordained or not?

“The second objection is, that there appears no sufficient reason to select four bodies of Christians for the exclusive enjoyment of the privileges to be conferred by this Act. The particular sects which the Act is designed to benefit, regard the established marriage service as a burthensome and improper form; but there are persons dissenting from the Church of England, who regard that service as a mode of worship repugnant to true Religion: yet by the limitations in the proposed law, he is indulged, whose conscience is not wounded by compliance, and he is compelled to comply, who thinks his conformity a grievous sin.

“Both the objections that I have pointed out, would be removed by enacting that the power of solemnizing Marriages should be enjoyed, under Licence from the Governor, by all religious teachers engaged in no secular calling.

“In that manner, no body of persons dissenting from the Church of England would be excluded from a benefit of which none would not desire the enjoyment; and the fact of which the Governor would need to be satisfied, before granting his Licence, would be simple and a matter of common notoriety.

“Besides the two provisions on which it has been my duty to offer the foregoing remarks, there is one more part of the Act, to which I have to call your attention. The third clause prohibits the solemnization of the Marriage of any person under the age of twenty-one years, until after the consent of Parents or Guardians shall be first had. Now there are many persons, especially amongst the poorer classes, who have neither Parent nor Guardian, and who could not afford the expense of obtaining the appointment of a Guardian for that express purpose from the Court of Chancery. In such cases there is a virtual interdict against Marriage, before the completion of the twenty-first year—a prohibition which in a new Country is not recommended by any obvious policy, and of which, in any Country, the influence on good morals must be very questionable.

“I

“ I have received His Majesty’s commands to desire that you will submit the foregoing observations to the Legislative Council and Assembly of New Brunswick, and that you will recommend to them to pass such an amended Act, more especially with reference to the two points first noticed, as will obviate the existing objections to the proposed law.

“ I have the honor to be,

“ Sir,

“ Your obedient humble Servant,

“ E. G. STANLEY.”

Major General Sir ARCHIBALD CAMPBELL, G. C. B.  
&c. &c. &c.

True Copy.

J. CAMPBELL, *Private Secretary.*

*Adjourned until To-morrow at 11 o’clock.*

WEDNESDAY, 5th March, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

PRAYERS.

Read a third time, and passed the Bill more effectually to punish the crime of Forgery.

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

Read a third time, and passed the Bill to provide for the safe keeping of County Records.

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

Read a third time, and passed the Bill to continue an Act to provide for the erection of Fences with Gates across Highways leading through Interval Lands in Queen’s County, and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King’s County.

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

Read

Read a third time, and passed the Bill to authorize the Justices of the Peace for the County of Charlotte to levy an assessment towards paying off the County debt, and for other purposes therein mentioned.

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

Mr. Simonds, from the Committee to whom was committed the Bill for granting Patents for useful Inventions, reported the same,

ORDERED, That the report be received.

Read a third time, and passed the said Bill.

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

Pursuant to notice, Mr. Simonds moved the following Resolution:—

RESOLVED, That Members of the House of Assembly, or any other person introduced by a Member of this House, be admitted as auditors of the Debates of this House.

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

Message from the Assembly, by Mr. Smith, with a Bill, intituled "A Bill for the Incorporation of the Saint John Mills and Canal Company;" and

Sundry Resolutions of Appropriation, dated 1st March, 1834; to which they desire the concurrence of this House.

Read a first time, the Bill for the Incorporation of the Saint John Mills and Canal Company.

ORDERED, That the said Bill be committed to Mr. Peters, Mr. Simonds and Mr. Allanshaw, to report upon.

Mr. Saunders, from the Committee to whom was committed the Bill, for further improving the administration of Justice in criminal cases, reported the same.

ORDERED, That the report be received.

Message from the House of Assembly, by Mr. Kinnear, with a Bill, intituled "A Bill to amend the Law relating to Assessments in this Province," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Friday next.

Mr. Allanshaw, from the Committee to whom was committed the Bill to incorporate sundry Persons by the name of the President, Directors and Company of the Commercial Bank of New Brunswick, reported the same.

ORDERED, That the report be received, and that the said Bill be taken into consideration on Monday next.

Went into consideration of the Bill to continue the Laws relating to the Fisheries in the County of Northumberland, and amended the same as follows:

At

At A. dele the words "all the laws now in force for regulating the Fisheries in that County," and insert the words "an Act made and passed in the thirty ninth year of the reign of His late Majesty King George the Third, intituled 'An Act for regulating the Fisheries in the County of Northumberland;' and also an Act made and passed in the fifty sixth year of the same reign, intituled 'An Act in amendment of an Act, intituled 'An Act for regulating the Fisheries in the County of Northumberland;' and also an Act made and passed in the fourth year of the reign of His late Majesty King George the Fourth, intituled 'An Act in further amendment of the Laws for regulating the Fisheries in the County of Northumberland,' so far as the said several Acts are now in force."

At B., in the Title, insert the word "further."

ORDERED, That the amendments be engrossed.

Mr. Peters presented a Petition from Elizabeth Wetherall, of the Parish of Wickham, Queen's County, praying to be remunerated for teaching a School in the said Parish.

ORDERED, That the said Petition be received and lie on the Table.

*Adjourned until To-morrow at 11 o' Clock.*

**THURSDAY, 6th March, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

A Message from His Excellency the Lieutenant Governor, was delivered by the Honorable Mr. Secretary Odell, who having retired, the President read the same, and it was again read by the Clerk, and is as follows :—

**NEW-BRUNSWICK,**

*Message to the Legislative Council,*

*March 5th, 1834.*

**ARCHIBALD CAMPBELL.**

The Lieutenant Governor communicates to the Legislative Council, an Extract of a Dispatch, received yesterday, from the Right Honorable E. G. Stanley, His Majesty's Secretary of State for the Colonies, dated 4th January, 1834, relating to the proposed surrender of the proceeds of His Majesty's Casual and Territorial Revenue.

A. C.

O.

EXTRACT.

## EXTRACT.

*Downing-Street, 4th January, 1834.*

“IN your Message communicating to the Assembly the proposals contained in my Dispatch of the 30th September, you will take care distinctly to explain, that the payments expected from the New Brunswick Land Company are not included in the Revenue which is offered to the acceptance of the Assembly.”

True Extract,

J. CAMPBELL, Private Secretary.

On motion—Went into consideration of Mr. Simond's Resolution of yesterday, for opening the doors of the Council Chamber, and on the question whether the Resolution be sustained, the House divided—

## CONTENT.

Mr. Simonds.  
Mr. Saunders.  
Mr. Botsford.

## NON CONTENT.

Mr. Chief Justice.  
Mr. Black.  
Mr. Shore.  
Mr. Peters.  
Mr. F. P. Robinson.  
Mr. Cunard.  
Mr. Allanshaw.  
Mr. W. H. Robinson.

And it passed in the negative.

Mr. Saunders gave notice, that on Monday next, he would move an Address to His Excellency the Lieutenant Governor, on the subject of obtaining more convenient accommodation for the Legislative Council.

Message from the Assembly, by Mr. Barlow, with the following Bills, to which they desire the concurrence of this House :

A Bill more effectually to provide for the support of a Nightly Watch in and for Lighting the City of Saint John, and for other purposes : and

A Bill to revive and amend an Act to incorporate sundry persons by the name of the Saint John Water Company.

Read the said Bills severally a first time.

ORDERED, That the said Bills stand for a second reading to-morrow.

Read a third time, as amended, and passed the Bill to continue the Laws relating to the Fisheries in the County of Northumberland.

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

Read a third time, and passed the Bill for further improving the administration of Justice in criminal cases.

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

Read a third time, and passed the Bill to alter the Division line between the Counties of York and Carleton.

ORDERED,

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

Message from the Assembly, by Mr. End, with a Bill, intituled "A Bill to provide for the summary punishment of malicious injuries to certain Personal Property," to which they desire the concurrence of this House.

Read the said Bill a first time.

**ORDERED**, That the said Bill stand for a second reading on Monday next.

Mr. F. P. Robinson presented a Petition from Ezekiel Fitzgerald, Master of the Grammar School in Sunbury, praying that a sum may be allowed him for his services.

**ORDERED**, That the said Petition be received and lie on the Table.

Mr. Simonds presented a Petition from Beverley Robinson, Deputy Province Treasurer, at Saint Andrews, praying that he may be allowed the amount of certain expenses incurred by him, or for which he is answerable, in a case of seizure of certain articles at Saint Stephen in 1831.

*Adjourned until To-morrow at 11 o' Clock.*

**FRIDAY, 7th March, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Peters.*

*Mr. Simonds.*

*Mr. Allanshaw.*

*Mr. Botsford.*

*Mr. Shore.*

*M. F. P. Robinson.*

*Mr. Cunard.*

*Mr. Saunders.*

PRAYERS.

Message from the Assembly, by Mr. Partelow, with the following Resolution:—

*"House of Assembly, 6th March, 1834.*

**WHEREAS**, Apprehensions are entertained that the attempt to reduce the existing duties on Foreign Wood, or to increase those on British Colonial, imported into the United Kingdom, will be again renewed during the present Session of the Imperial Parliament; **And Whereas** any such alteration would be destructive of the best interests of His Majesty's North American Colonies,

**"Therefore—RESOLVED**, That an Humble Address be presented to His Majesty, and the Imperial Parliament, on this all-important subject; and, further Resolved, That His Majesty's Legislative Council be requested to join in such Address."

**RESOLVED**, That the Legislative Council do agree to the proposed Address: and that Mr. Cunard be a Committee on the part of this House, to join such Committee as may be appointed by the Assembly to prepare the same. **ORDERED**,

**ORDERED,** That the Master in Chancery do communicate this Resolution to the Assembly.

Read a second time, the Bill more effectually to provide for the support of a Nightly Watch in, and for lighting the City of Saint John, and for other purposes.

**ORDERED,** That the said Bill be committed to Mr. Black and Mr. Simonds, to report upon.

Read a second time, the Bill to revive and amend an Act to incorporate sundry persons by the name of the Saint John Water Company.

**ORDERED,** That the said Bill be committed to Mr. Black and Mr. Simonds to report upon.

Read a second time, the Bill to amend the law relating to Assessments in this Province.

**ORDERED,** That the said Bill stand for a third reading on Monday next.

Message from the Assembly, by Mr. Smith, with a Bill, intituled "A Bill in furtherance of, and to regulate Juvenile Emigration from Great Britain to this Province," to which they desire the concurrence of this House.

Read the said Bill a first time.

**ORDERED,** That the said Bill stand for a second reading on Monday next.

Message from the Assembly, by Mr. Brown, with a Bill, intituled "A Bill to exempt persons employed in the deep sea fishing from the performance of Militia Duty," to which they desire the concurrence of this House.

Read the said Bill a first time.

**ORDERED,** That the said Bill stand for a second reading on Monday next.

Message from the Assembly, by Mr. Scott, that they have agreed to the Bill for the further regulation of the formation of the Court of Governor and Council, for the determination of all suits and controversies touching and concerning Marriage and Divorce.

Went into consideration of the Bill in addition to and in amendment of an Act, intituled "An Act for relief against absconding Debtors," and amended the same as follows:—

At A. insert the words "they were."

At B. dele the words "twenty-four hours" and insert the words "six days."

At C. insert the words "or concealed."

At D. insert the words "of the Chief or Senior Justice."

At E. insert the words "or before a Commissioner to be for that purpose appointed by His Excellency the Lieutenant Governor or Commander in Chief for the time being to administer such Oath."

At F. insert "VIII. And Whereas, by the sixteenth Section of the said Act of which this is an amendment, it is among other things enacted, that if any surplus shall remain after all just debts, and legal charges and commissions, are fully paid and satisfied, such surplus shall be paid or delivered to the said absconding or concealed person or persons, his, her or their Executors, Administrators or Assigns;



signs; but as in the event of no such person or persons appearing, or being found, to whom such surplus should be paid or delivered, it is necessary that some person should be authorized to receive the same; Be it therefore enacted, That the said surplus shall in that case, be paid or delivered to a Receiver, to be appointed by the Court wherein the proceedings have been had.

“IX. And be it enacted, That when the Account of the Proceedings, and Accounts of such Trustees, are duly filed with the Clerk of said Court agreeably to the directions of the twenty fourth section of said Act, and the same is satisfactory to such Court, the said Court shall be and is hereby authorized, by rule or order of said Court, to discharge such Trustees from their appointment, and from the performance of all further duties or liabilities thereunder.”

ORDERED, That the amendments be engrossed.

Read a third time, and passed the said Bill as amended.

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

Went into the consideration of the Report of the Committee appointed to prepare Rules proper to be adopted as the Rules and Standing Orders of this House, and amended the said Rules.

ORDERED, That the same, as amended, be engrossed.

Message from the Assembly, by Mr. J. Taylor, with a Bill, intituled “A Bill to increase the Representation of the Counties of Carleton, Gloucester and Kent,” to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading on Monday next.

*Adjourned until Monday at 11 o' Clock.*

MONDAY, 10th March, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Mr. Simonds, to whom was committed the Bill to authorize the Justices of the General Sessions of the Peace for the City and County of Saint John to levy an Assessment to enable them to pay off the County Debt, reported the same:

ORDERED, That the report be received.

Read the said Bill a second time.

P

Mr.

Mr. Black, from the Committee to whom was committed the Bill more effectually to provide for the support of a nightly Watch in, and for lighting the City of Saint John, and for other purposes, reported the same.

ORDERED, That the report be received.

Read a third time, and passed the said Bill.

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

Read a third time, and passed the Bill to amend the law relating to Assessments in this Province.

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

Read a second time, and went into consideration of the Bill to exempt persons employed in the deep Sea Fishing from the performance of Militia duty.

On Motion—Resolved, That the further consideration of the said Bill be postponed for three months.

Read a second time, the Bill to increase the Representation of the Counties of Carleton, Gloucester, and Kent.

ORDERED, That the said Bill stand for a third reading to-morrow.

Pursuant to the Order of the Day, Resumed the consideration of the Bill to incorporate sundry persons by the name of the *President, Directors and Company of the Commercial Bank of New Brunswick*, and amended the same as follows:—

From A., in the thirty-third Section, dele the remainder of the Section, and insert the words “upon pledge of its own Stock.”

At B., in the thirty eighth Section, dele the words “House of Assembly,” and insert the word “Legislature.”

At C., in the same Section, dele the words “House of Assembly,” and insert the word “Legislature.”

At D. insert “XXXIX. And be it enacted, That the Cashier, or acting Cashier for the time being, shall on each and every Discount day, furnish a true list to the President or Chairman of the said Bank, of all delinquent promisers, indorsers and sureties made up to two o'clock on the day preceding the discount day; which list shall be called a delinquent sheet; and it shall be the duty of the President or Chairman on each and every discount day as aforesaid, to read the name or names contained in such delinquent sheet, to the Board of Directors; and in case the name of any Director shall appear in such delinquent sheet, either as promiser, indorser or surety, it is hereby declared illegal for such Director to sit at the Board, or take any part in the management of the affairs of the said Bank, during the continuance of such delinquency.

“XL. And be it enacted, that in the event of any Director continuing a delinquent as aforesaid, for ninety consecutive days at any one time, such continued delinquency shall disqualify such Director from holding his seat; and it shall be the duty

duty of the President and other Directors forthwith to proceed in filling up the vacancy in the manner prescribed in the fourteenth section of this Act, in the case of death or absence from the Province."

At E. dele "XXXIX." and insert "XLI."

At F. dele "XL." and insert "XLII."

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

Mr. Black, from the Committee to whom was committed the Bill to revive and amend an Act to incorporate sundry persons by the name of the Saint John Water Company, reported the same.

ORDERED, That the report be received.

Went into consideration of the said Bill, and amended the same as follows :

At A., in the third section, insert the words " after the passing of this Act."

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

Message from the Assembly, by Mr. Street, that they have agreed to the amendments made to the Bill to continue the laws relating to the Fisheries in the County of Northumberland; and that

Mr. Partelow and Mr. Street were appointed by the Assembly a Committee, to meet the Committee of the Legislative Council, to prepare an Address to His Majesty and the Imperial Parliament on the subject of the existing duties on Foreign Wood.

Read a second time, the Bill to provide for the summary punishment of malicious injuries to certain personal property.

ORDERED, That the said Bill be committed to Mr. Allanshaw and Mr. Saunders to report upon.

Read a second time, the Bill in furtherance of, and to regulate Juvenile Emigration from Great Britain to this Province.

ORDERED, That the said Bill be taken into further consideration to-morrow.

*Adjourned until To-morrow at 11 o'Clock.*

**TUESDAY, 11th March, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr.*

*Mr. Saunders.**Mr. Botsford.*

## PRAYERS.

Read a third time, as amended, and passed the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Commercial Bank of New Brunswick.

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

Message from the Assembly, by Mr. Gilbert, with a Bill, intituled "A Bill to alter and amend the Act to repeal all the laws now in force, for the organization and regulation of the Militia, and to make further provision for the same."

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Read a third time, as amended, and passed the Bill to revive and amend an Act to incorporate sundry persons by the name of the Saint John Water Company.

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

Message from the Assembly, by Mr. Chandler, with a Bill, intituled "A Bill to establish and regulate a summary practice in the Supreme Court."

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Mr. Peters, from the Committee to whom was committed the Bill for the Incorporation of the Saint John Mills and Canal Company, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time, and amended it as follows :

At A. insert the word "such."

At B. dele the words "Executors, Administrators."

At C. insert the words "on lease."

Dele the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and sixteenth sections.

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

Mr. Saunders, from the Committee to whom was committed the Bill in addition to, and in amendment of an Act, made and passed in the fiftieth year of the Reign of His late Majesty King George the Third, intituled "An Act to regulate the proceedings in actions of Replevin, and to enable the sale of Goods distrained for rent, in case the rent be not paid in a reasonable time, and for the more effectually securing of rents, and preventing frauds by tenants," reported the same.

ORDERED, That the report be received.

Went into the consideration of the said Bill, and amended the same as follows :

At A., in the second Section, dele the words "shall be used," and insert the words "will lie."

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

Read a third time, and passed the Bill to authorize the Justices of the General Sessions of the Peace, for the City and County of Saint John, to levy an assessment to enable them to pay off the County debt.

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

Read a third time, and passed the Bill to increase the Representation of the Counties of Carleton, Gloucester and Kent.

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

Message from the Assembly, by Mr. Miles, with sundry Resolutions of Appropriation, dated 8th March, 1834, to which they desire the concurrence of this House.

Resumed the consideration of the Bill in furtherance of and to regulate Juvenile Emigration from Great Britain to this Province.

ORDERED, That the said Bill stand for a third reading to-morrow.

On Motion—Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct the Treasurer's Accounts for the year one thousand eight hundred and thirty three to be laid before this House.

ORDERED, That Mr. Peters and Mr. Botsford be a Committee to present the same.

*Adjourned until To-morrow at 11 o'Clock.*

WEDNESDAY, 12th March, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Message from the Assembly, by Mr. S. Humbert, with a Bill, intituled "A Bill to extend the privilege of solemnizing Marriage to all the Ministers or Teachers of the several Religious Congregations in this Province," to which they desire the concurrence of this House.

Q

Read

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Mr. Saunders, to whom was committed the Bill to continue the Acts now in force, for the relief of insolvent confined debtors, reported the same.

ORDERED, That the report be received.

Read a third time, as amended, and passed the Bill for the Incorporation of the Saint John Mills and Canal Company.

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

Read a third time, as amended, and passed the Bill in addition to, and in amendment of an Act made and passed in the fiftieth year of the reign of His late Majesty King George the Third, intituled "An Act to regulate the proceedings in actions of Replevin, and to enable the sale of Goods distrained for rent, in case the rent be not paid in a reasonable time, and for the more effectually securing of rents, and preventing frauds by tenants."

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

Read a second time, the Bill to alter and amend the Act to repeal the laws now in force for the organization and regulation of the Militia, and to make further provision for the same.

Went into consideration of the said Bill.

ORDERED, That the said Bill be taken into further consideration to-morrow.

Read a second time, the Bill to establish and regulate a summary practice in the Supreme Court.

ORDERED, That the said Bill be committed to Mr. Shore and Mr. Saunders to report upon.

ORDERED, That the Order of the Day for the third reading of the Bill in furtherance of and to regulate Juvenile Emigration from Great Britain to this Province, be discharged.

Mr. Allanshaw, from the Committee to whom was committed the Bill to provide for the summary punishment of malicious injuries to certain personal property, reported the same.

Went into consideration of the said Bill.

On Motion—Resolved, That the further consideration of the said Bill be postponed for three months.

Mr. Saunders, to whom was committed the Bill to authorize the sale or mortgage of the Estates of Persons found Lunatic by Inquisition in this Province, the granting of Leases of the same, and the conveyance of Estates held in trust by Lunatics or Idiots, reported the same.

ORDERED, That the report be received and the Bill be engrossed.

Mr.

Mr. Peters, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address of yesterday, reported, that the Committee had waited upon His Excellency, according to order, and His Excellency was pleased to say he would communicate with this House by Message.

Mr. Saunders presented a Petition from James Taylor and others, Inhabitants of Fredericton, and the adjacent Country, praying the special and peculiar circumstances of their case may be taken into consideration, and for a Charter for the Incorporation of a Bank in Fredericton, with the like Capital as the Charter establishing the Charlotte County Bank.

ORDERED, That the said Petition be received and lie on the Table.

*Adjourned until To-morrow at 11 o' Clock.*

THURSDAY, 13th March, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Simonds.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Resumed the consideration of the Bill to alter and amend the Act to repeal all the laws now in force for the organization and regulation of the Militia, and to make further provision for the same.

On Motion—Resolved, That the further consideration of the said Bill be postponed for three months.

Read a second time, the Bill to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province.

ORDERED, That the said Bill be committed to Mr. Saunders to report upon.

A Message from His Excellency the Lieutenant Governor, was delivered by the Honorable Mr. Secretary Odell, who having retired, the President read the same, and it was again read by the Clerk, and is as follows :

NEW-BRUNSWICK,  
*Message to the Legislative Council,*  
13th March, 1834.

ARCHIBALD CAMPBELL.

The Lieutenant Governor informs the Council, in answer to their Address of the 11th instant, that he will direct the Treasurer's Accounts for the last year to be forthwith

forthwith prepared, so far as is practicable at this late period, and laid before the Council.

A. C.

Message from the Assembly, by Mr. Scott, with a Bill, intituled "A Bill to provide for the payment of interest on Warrants which are not paid at the Treasury on demand," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Read a third time, and passed the Bill in furtherance of, and to regulate Juvenile Emigration from Great Britain to this Province.

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

Message from the Assembly, by Mr. Street, that they have agreed to the amendments made to the Bill in addition to, and in amendment of an Act, intituled "An Act for relief against absconding Debtors."

Read a third time, and passed the Bill to continue the Acts now in force for the relief of insolvent confined Debtors.

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

Mr. Botsford presented a Petition from P. Dumaresq, and many others, of Dalhousie, in the County of Gloucester, praying for a sum of money to be expended on the road from thence to Bathurst, and that no expense may be incurred in the Exploration of a new road, for reasons set out in the Petition.

Read a first time, the Resolutions of Appropriation, dated 26th, 27th and 28th February, and the 1st, and 8th March, 1834.

*Adjourned until To-morrow at 11 o' Clock.*

FRIDAY, 14th March, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Read a third time, as engrossed, and passed the Bill to authorize the sale or mortgage



mortgage of the Estates of persons found Lunatic by Inquisition in this Province ; the granting of Leases of the same, and the conveyance of Estates held in Trust by Lunatics or Idiots.

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

Message from the Assembly, by Mr. Allen, with a Bill, intituled " A Bill to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick," to which they desire the concurrence of this House ;

and that,

They have agreed to the amendments made to the Bill for the Incorporation of the Saint John Mills and Canal Company.

Read a first time, the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick.

**ORDERED**, That the said Bill be committed to Mr. Allanshaw to report upon.

The following Resolution was moved :

**WHEREAS**, The reporting of the debates and proceedings in the House Lords, and in the Legislative Councils of Upper and Lower Canada, advances the best interests of the Country, it is expedient that this House should adopt the same course of proceeding—therefore,

**RESOLVED**, That the same publicity be given to the debates and proceedings of this House, as is sanctioned by the House of Lords, and that a Reporter be admitted to hear and report accordingly.

Upon the question whether the Resolution should pass, the House divided.

**CONTENT.**  
Mr. Cunard.  
Mr. Allanshaw.  
Mr. Saunders.  
Mr. Botsford.

**NON CONTENT.**  
Mr. Chief Justice.  
Mr. Black.  
Mr. Shore.  
Mr. Peters.  
Mr. F. P. Robinson.  
Mr. W. H. Robinson.

And it passed in the negative.

Read a second time, the Bill to provide for the payment of interest on Warrants, which are not paid at the Treasury on demand.

**ORDERED**, That the said Bill be committed to Mr. Peters and Mr. Allanshaw to report upon.

Message from the Assembly, by Mr. Miles, with a Bill, intituled " A Bill to erect a new Parish in the County of Sunbury."

Read the said Bill a first time.

**ORDERED**, That the said Bill stand for a second reading on Monday next.

Read a second time, and agreed to the several Resolutions of Appropriation, dated the 26th February, 1834, with the following exceptions :

**R**

To

To Thomas Simpson, the sum of twenty pounds, for a School taught by him in the Emigrant Settlement, between Hammond River and Hopewell, from the month of July one thousand eight hundred and thirty-two, one year.

To James Carter, of the Parish of Saint David, in the County of Charlotte, the sum of twenty pounds, for teaching a School in the Parish of Saint Andrews, for the year ending on the last day of September, one thousand eight hundred and nineteen.

On the question, whether this Appropriation be agreed to, the House divided—

CONTENT.	NON CONTENT.
Mr. Black.	Mr. Chief Justice.
Mr. Peters.	Mr. Shore.
Mr. Allanshaw.	Mr. F. P. Robinson.
Mr. W. H. Robinson.	Mr. Cunard.
Mr. Botsford.	Mr. Saunders.

And it passed in the negative.

ORDERED, That the Master in Chancery do go down to the Assembly, and inform that House, that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exceptions hercinbefore entered.

Message from the Assembly, by Mr. Street, that they have agreed to the amendment made to the Bill in amendment of an Act made and passed in the fiftieth year of the Reign of His late Majesty King George the Third, intituled "An Act to regulate the proceedings in actions of Replevin, and to enable the Sale of Goods distrained for Rent, in case the Rent be not paid in a reasonable time, and for the more effectually securing of Rents, and preventing frauds by tenants."

Read a second time, and went into consideration of the Resolutions of Appropriation, dated 27th and 28th February, 1834.

Upon the question, whether the appropriation to the Justices of the Peace for the City and County of Saint John, of the sum of one hundred and twelve pounds to pay expenses incurred by them in erecting a Cholera Hospital in the County of Saint John, be agreed to, the House divided—

CONTENT.	NON CONTENT.
Mr. Black.	Mr. Chief Justice.
	Mr. Shore.
	Mr. Peters.
	Mr. F. P. Robinson.
	Mr. Cunard.
	Mr. Allanshaw.
	Mr. W. H. Robinson.
	Mr. Saunders.
	Mr. Botsford.

And it passed in the negative.

Upon the question, whether the appropriation to the Justices of the Peace for the City and County of Saint John, of the sum of fifty-five pounds, to re-imburse them for expenses incurred in the support of distressed black Refugees, in the year one thousand eight hundred and thirty-three, the House divided—

CONTENT.

## CONTENT.

Mr. Black.  
Mr. Shore.  
Mr. Peters.  
Mr. W. H. Robinson.  
Mr. Botsford.

## NON CONTENT.

Mr. Chief Justice.  
Mr. F. P. Robinson.  
Mr. Cunard.  
Mr. Allanshaw.  
Mr. Saunders.

And it passed in the negative.

Upon the question, whether the appropriation of Ebenezer Packard, a licenced Teacher, of the sum of twenty pounds, for teaching a School in the Parish of Northesk, in the County of Northumberland, for six months in the year one thousand eight hundred and twenty-six, and a further term of six months in the year one thousand eight hundred and thirty, it was decided in the negative.

Upon the question, whether the appropriation to Robert Doak, of the sum of seventy pounds eight shillings, to re-imburse a balance due on amount expended as Supervisor on the Great Road leading from Fredericton to New Castle, in the years one thousand eight hundred and twenty-nine, and one thousand eight hundred and thirty, in full of any claims he may have against the Province for over expenditure, the House divided—

## CONTENT.

Mr. Black.  
Mr. Saunders.

## NON CONTENT.

Mr. Chief Justice.  
Mr. Shore.  
Mr. Peters.  
Mr. F. P. Robinson.  
Mr. Cunard.  
Mr. Allanshaw.  
Mr. W. H. Robinson.  
Mr. Botsford.

And it passed in the negative.

ORDERED, That the consideration of the Appropriations dated the 27th and 28th of February, 1834, be resumed on Monday next.

*Adjourned until Monday at 11 o' Clock.*

**MONDAY, 17th March, 1834.**

## PRESENT.

## THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.  
Mr. Peters.  
Mr. Cunard.  
Mr. W. H. Robinson.  
Mr. Botsford.*

*Mr. Shore.  
Mr. F. P. Robinson.  
Mr. Allanshaw.  
Mr. Simonds.*

## PRAYERS.

Message

Message from the Assembly, by Mr. Weldon, with a Bill, intituled "A Bill to regulate proceedings before Justices of the Peace in Civil Suits," to which they desire the concurrence of this House;

and that,

They have agreed to the amendment made to the Bill to revive and amend an Act to incorporate sundry persons by the name of the Saint John Water Company.

Message from the Assembly, by Mr. Clinch, that they have agreed to the Bill to authorize the Sale or Mortgage of the Estates of Persons found Lunatic by Inquisition in this Province: the granting of Leases of the same, and the conveyance of Estates held in trust by Lunatics or Idiots.

Read a first time, the Bill to regulate proceedings before Justices of the Peace in Civil Suits.

ORDERED, That the said Bill be committed to Mr. Peters and Mr. Saunders to report upon.

Mr. Peters presented a Petition, with other papers relating to it, from John Flinn, praying an allowance for teaching a School in the Parish of Westfield, in King's County, ending in the year 1829.

ORDERED, That the said papers be received and lie on the Table.

Mr. Allanshaw presented three Petitions from David Polley, Agent for Eber Sweet, praying for a return of Duties, on articles enumerated in his Petitions, and for relief from the payment of certain Bonds for Duties, for reasons stated in his Petitions.

ORDERED, That the said Petitions be received and lie on the Table.

Mr. Peters presented sundry Accounts of the Overseers of the Poor of the City of Saint John, and the Parish of Portland, in the County of Saint John, of expenses incurred in support and relief of sick and distressed Emigrants in those places, to the 17th January, 1834.

ORDERED, That the said Accounts be received and lie on the Table.

Read a second time, the Bill to erect a new Parish in the County of Sunbury.

ORDERED, That the said Bill stand for a third reading to-morrow.

Mr. Saunders, to whom was committed the Bill to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province, reported the same.

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

Resumed the consideration of the Resolutions of Appropriation, dated 27th and 28th February, 1834:

Upon the question, whether there be granted to Hannah Amelia Cromwell, a licensed teacher, the sum of ten pounds, for teaching School in the Parsh of Northesk and Blissfield, in the County of Northumberland, in the years 1831 and 1832, the House divided, and it passed in the negative.

Upon the question, whether there be granted to John Miller, Treasurer for the District of Bathurst, the sum of twenty pounds, to remunerate him for expenses incurred in

in seizing a quantity of Gin, landed from Brig Helen, wrecked at Miscoe Island in the said District, the same having been released on payment of Duties, it passed in the affirmative, Mr. Botsford dissenting.

Upon the question, whether there be granted to Robert Stiles, the sum of ten pounds, being the amount expended by him on the road between John Gildart's junior, and Thomas Colpitt's mill, through mistake, another person being appointed Commissioner, the House divided, and it was decided in the negative.

ORDERED, That the Master in Chancery do go down to the Assmby, and acquaint that House, that the Legislative Council have agreed to the Resolutions of Appropriation of 27th and 28th February, 1834, with the exceptions hereinbefore entered.

RESOLVED, That although this House hath concurred in the several Resolutions sent from the Assembly this Session, for appropriating monies out of the Emigrant fund, yet that such concurrence shall not be drawn into precedent for the future; and it is further Resolved, that before any monies can be appropriated from that fund, it shall be made to appear, by full and satisfactory vouchers, duly attested and certified by the Agent for Emigrants residing at the place from whence the application shall come, and if there be no resident Emigrant Agent, then by such person or persons as may have expended the money, that such expenses were actually incurred for Emigrants arriving within the year, and entitled to relief under the Act.

ORDERED, That the Master in Chancery do communicate this Resolution to the Assembly.

Read a first and second times, and went into consideration of the Resolutions of Appropriation, dated 1st and 8th March, 1834:

Upon the question, whether there be granted to the Reverend Gilbert Wiggins, Rector of the Parish of Portland, the sum of fifty pounds, in aid of individual subscription, for the purpose of erecting and maintaining a free school in the Parish of Portland, the House divided, and it passed in the negative.

Upon the question, whether there be granted to the President and Directors of the New Brunswick Fire Insurance Company the sum of thirty six pounds, being the interest on a Warrant due to them, on the 1st day of March in the year 1833, which Warrant is not yet paid, the House divided—

## CONTENT.

Mr. Allanshaw.  
Mr. W. H. Robinson.  
Mr. Botsford.

## NON CONTENT.

Mr. Black.  
Mr. Shore.  
Mr. Peters.  
Mr. Cunard.

And it passed in the negative; His Honor the Chief Justice, Mr. F. P. Robinson and Mr. Saunders retiring before the division, stating themselves to be Stockholders in the Company, and interested in the question.

Upon the question, whether there be granted to John Bond, a licenced teacher, the sum of twenty pounds, for teaching a School for one year in Springfield, King's County, ending in 1832, it passed in the negative.

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Upon the question, whether there be granted to His Excellency the Lieutenant Governor, the sum of one hundred pounds, to explore a new and direct line of Road from Bathurst, to meet the line of Road from Canada, called the Kempt road, and that no further sum be granted for that purpose, the House divided—

## CONTENT.

Mr. Chief Justice.  
Mr. Black.  
Mr. Shore.  
Mr. Peters.  
Mr. F. P. Robinson.  
Mr. Allanshaw.  
Mr. W. H. Robinson.  
Mr. Saunders.

## NON CONTENT.

Mr. Cunard,  
Mr. Botsford.

And it passed in the affirmative.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the Resolutions of Appropriation, dated 1st and 8th March 1834, with the exceptions hereinbefore entered.

Mr. Cunard, from the joint Committee of the Legislative Council and Assembly appointed to prepare an Address to His Majesty and the Imperial Parliament on the subject of the existing Duties on Foreign Wood, reported a draft which he read as follows:—

**“To the King’s Most Excellent Majesty.**

*“The Humble Petition of Your Majesty’s Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.*

“MAY IT PLEASE YOUR MAJESTY,

“THE Council and Assembly of Your Majesty’s loyal Province of New Brunswick, fearing that during the present Session of the Imperial Parliament an alteration of the Wood Duties may again be agitated, and apprehensive that such alteration would be productive of serious injury to the great interests connected with the Wood Trade, are once more induced to address Your Majesty on this all important subject.

“The Council and Assembly, on the 10th March, 1833, brought this matter, by a dutiful and humble Petition to Your Majesty and the Imperial Parliament, accompanied by one sent from them in 1831, under consideration: which Petitions have been acknowledged by Your Majesty’s Principal Secretary of State for the Colonies, and were duly presented during the last Session.

“Aware that to the reasons there set forth, and to others which have been urged on the attention of Your Majesty by the numerous Petitions presented from other quarters, the Council and Assembly have little to add; they feel that they would be wanting in the high obligations they owe the Province, and the interests of so large a class as those engaged in the North American Wood Trade, whether with reference to the  
British

British Capital invested, or British Shipping employed in it, if they did not again bring this deeply interesting subject under the notice of Your Majesty.

“The Council and Assembly assure Your Majesty that annually the outlays in this purely British Trade greatly increase; large Establishments are made with a view to its continuance; an immense capital has within a few years been invested in Saw Mills—upwards of three hundred of which, some at a cost of many thousand pounds each, have been erected in the Country, and although the white wood Deals produced from them can barely compete with those from the Baltic at the existing difference of Duty, they afford a valuable export—enable the Merchant to make remittances for his British Goods, and increase the number of British Ships engaged in the Wood Trade; independently of the immense advantages afforded by the employment this comparatively new and extensive branch of business gives to the British Emigrants arriving on these shores.

“The Council and Assembly earnestly implore Your Majesty to give this, and their other dutiful Petitions, Your Majesty’s most gracious and favorable consideration, assuring Your Majesty, that by adhering to the protective policy so judiciously established in favor of Your Majesty’s North American Colonies, Your Majesty’s faithful subjects residing therein can be alone preserved from the disastrous consequences which its abandonment must inevitably produce.

“And Your Petitioners as in duty bound will ever pray.”

“To the Lords, Spiritual and Temporal, of the United Kingdom of Great Britain and Ireland,  
in Parliament assembled.

“*The Humble Petition of His Majesty’s Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.*

“MAY IT PLEASE YOUR MOST HONORABLE HOUSE,

“**T**HE Council and Assembly of His Majesty’s loyal Province of New Brunswick, fearing that during the present Session of the Imperial Parliament, an alteration of the Wood Duties may again be agitated, and apprehensive that such alteration would be productive of serious injury to the great interests connected with the Wood Trade, are once more induced to address Your Most Honorable House on this all important subject.

“The Council and Assembly, on the 10th March, 1833, brought this matter, by a dutiful and humble Petition to His Majesty and the Imperial Parliament, accompanied by one sent from them in 1831, under consideration: which Petitions have been acknowledged by His Majesty’s Principal Secretary of State for the Colonies, and were duly presented during the last Session.

“Aware that to the reasons there set forth, and to others which have been urged on the attention of Your Most Honorable House by the numerous Petitions presented from other quarters, the Council and Assembly have little to add; they feel that they would be wanting in the high obligations they owe the Province, and the interests of so large a class as those engaged in the North American Wood Trade, whether with reference to the British Capital invested, or British Shipping employed in it, if they

they did not again bring this deeply interesting subject under the notice of Your Most Honorable House.

“The Council and Assembly assure Your Most Honorable House, that annually the outlays in this purely British Trade greatly increase; large Establishments are made with a view to its continuance; an immense capital has within a few years been invested in Saw Mills—upwards of three hundred of which, some at a cost of many thousand pounds each, have been erected in the Country, and although the white wood Deals produced from them, can barely compete with those from the Baltic at the existing difference of Duty, they afford a valuable export—enable the Merchant to make remittances for his British Goods, and increase the number of British Ships engaged in the Wood Trade: independently of the immense advantages afforded by the employment this comparatively new and extensive branch of business gives to the British Emigrants arriving on these shores.

“The Council and Assembly earnestly implore Your Most Honorable House to give this and their other dutiful Petitions Your most favorable consideration, assuring Your Most Honorable House, that by adhering to the protective policy so judiciously established in favor of His Majesty’s North American Colonies, His Majesty’s faithful subjects residing therein can be alone preserved from the disastrous consequences which its abandonment must inevitably produce.

“And Your Petitioners as in duty bound will ever pray.”

“To the Honorable The Knights, Citizens, and Burgesses, representing the Commons of the United Kingdom of Great Britain and Ireland, in Parliament convened.

“*The Humble Petition of His Majesty’s Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.*

“MAY IT PLEASE YOUR HONORABLE HOUSE,

“**T**HE Council and Assembly of His Majesty’s loyal Province of New Brunswick, fearing that during the present Session of the Imperial Parliament, an alteration of the Wood Duties may again be agitated, and apprehensive that such alteration would be productive of serious injury to the great interests connected with the Wood Trade, are once more induced to address Your Honorable House on this all important subject.

“The Council and Assembly, on the 10th March, 1833, brought this matter, by a dutiful and humble Petition to His Majesty and the Imperial Parliament, accompanied by one sent from them in 1831, under consideration: which Petitions have been acknowledged by His Majesty’s Principal Secretary of State for the Colonies, and were duly presented during the last Session.

“Aware that to the reasons there set forth, and to others which have been urged on the attention of Your Honorable House by the numerous Petitions presented from other quarters, the Council and Assembly have little to add; they feel that they would be wanting in the high obligations they owe the Province, and the interests of so large a class as those engaged in the North American Wood Trade, whether with reference to the British Capital invested, or British Shipping employed in it, if they



they did not again bring this deeply interesting subject under the notice of Your Honorable House.

“The Council and Assembly assure Your Honorable House that annually the outlays in this purely British Trade greatly increase; large Establishments are made with a view to its continuance; an immense capital has within a few years been invested in Saw Mills—upwards of three hundred of which, some at a cost of many thousand pounds each, have been erected in the Country, and although the White-wood Deals produced from them, can barely compete with those from the Baltic at the existing difference of Duty, they afford a valuable export—enable the Merchant to make remittances for his British Goods, and increase the number of British Ships engaged in the Wood Trade: independently of the immense advantages afforded by the employment this comparatively new and extensive branch of business gives to the British Emigrants arriving on these shores.

“The Council and Assembly earnestly implore Your Honorable House to give this and their other dutiful Petitions Your most favorable consideration, assuring Your Honorable House, that by adhering to the protective policy so judiciously established in favor of His Majesty’s North American Colonies, His Majesty’s faithful subjects residing therein can be alone preserved from the disastrous consequences which its abandonment must inevitably produce.

“And Your Petitioners as in duty bound will ever pray.”

**RESOLVED**, That the Legislative Council do agree to the Joint Address prepared by the Committee of the Council and Assembly, relative to the existing Duties on Foreign Wood, and that Mr. Cunard be a Committee, with such Committee as the House of Assembly shall appoint, to wait upon His Excellency the Lieutenant Governor, and request that he will be pleased to transmit the same to be laid before His Majesty, and the Imperial Parliament.

**ORDERED**, That Master in Chancery do communicate this Resolution to the House of Assembly.

Mr. Allanshaw, to whom was committed the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick, reported the same.

**ORDERED**, That the report be received.

Read a second time, and amended the said Bill as follows:—

From A. in the sixteenth Section dele the remainder of the Section, and insert as follows:—

“Paid in current gold and silver coins, and shall then be in the Vaults of the said Bank, the President shall give notice thereof to the Secretary of the Province for the information of His Excellency the Lieutenant Governor, or the Commander in Chief for the time being, who is hereby authorized, by and with the advice of His Majesty’s Council, to appoint three Commissioners, not being Stockholders, whose duty it shall be to examine and count the money actually in the Vaults, and to ascertain by the Oaths of the majority of Directors, that half the amount of its capital hath been paid in by the Stockholders, towards payment of their respective shares and not for any other purpose, and that it is intended to have it there remain,

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as part of the Capital Stock of the said Bank ; which investigation is hereby declared indispensable, and shall be made at the periods prescribed by the second Section of this Act when paying in the Capital Stock of the said Bank.

At B. in the thirty-fifth Section, insert the word "as."

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

Mr. President presented a Draft of an Address to His Majesty on the subject of the relative rank of the President and Members of the Legislative and Executive Council, and other matters set out in the said Address, and moved that it be received and lie on the Table, and that it be taken into consideration on Wednesday.

ORDERED, That the Address be received, lie on the Table, and taken into consideration accordingly.

Message from the Assembly, by Mr. J. Humbert, with sundry Resolutions of Appropriation, dated 14th March 1834, to which they desire the concurrence of this House.

Read the said Resolutions a first time.

*Adjourned until To-morrow at 11 o' Clock.*

**TUESDAY, 18th March, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Read a third time, the Bill to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province.

Upon the question whether the said Bill should pass, the House divided—

CONTENT.

Mr. Black.

NON CONTENT.

Mr. Peters.

Mr. Chief Justice.

Mr. F. P. Robinson.

Mr. Shore.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

And it passed in the affirmative.

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

Read

Read a third time, and passed the Bill to erect a new Parish in the County of Sunbury.

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

Read a third time, as amended, and passed the Bill to incorporate sundry persons by the name of the President, Directors and Company of the central Bank of New Brunswick.

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

The Honorable Mr. Secretary Odell, by command of His Excellency the Lieutenant Governor, delivered a communication from the Province Treasurer, accompanied by certain Accounts for the year 1833.

Mr. Saunders, from the Committee to whom was committed the Bill to establish and regulate a summary practice in the Supreme Court, reported the same.

ORDERED, That the report be received.

Read a third time, and passed the said Bill.

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

Message from the Assembly, by Mr. Street, that they have agreed to the joint Address of the Council and Assembly to His Majesty and the Imperial Parliament on the subject of Duties on Foreign Wood; and that they have appointed Mr. Partelow and Mr. Street a Committee to join the Committee appointed by the Legislative Council to wait upon His Excellency the Lieutenant Governor with the Address, and to request His Excellency will be pleased to transmit the same to be laid before His Majesty and the Imperial Parliament.

Mr. Peters, from the Committee to whom was committed the Bill to provide for the payment of interest on Warrants which are not paid at the Treasury on demand, reported the same.

ORDERED, That the report be received.

Went into consideration of the said Bill, and amended the same as follows:—

At A. dele the Preamble, and insert as follows:—

“WHEREAS it is expedient for the due maintenance of public credit that interest should be allowed on all Warrants payable at the office of the Treasurer of this Province, and at such other of his Deputies as may be considered necessary: And whereas it is also desirable to prevent harrassing applications at the Treasury, and to increase the value and give currency to all Warrants bearing interest, by shewing at what times they will be redeemable.”

At B. dele the remainder of this Section, and insert “until ten days after notice published in the Royal Gazette, (unless sooner paid,) that the money for the payment of such Warrants will be paid by the Treasurer on demand with all interest due thereon.

“II. And be it enacted, That it shall be the duty of such Treasurer, at least once a month to publish in the Royal Gazette, a list of such Warrants as he may be prepared to pay, and thereafter to pay the same on demand, with all interest due thereon up to the period of such demand, not exceeding the tenth day after the publication of such list.”

At C. dele “II.” and insert “III.”

At D. dele the words and figure “for 6 months.”

ORDERED, That the said amendments be engrossed.

Read a third time, as amended, and passed the said Bill.

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

Mr. Allanshaw presented a Petition from Reuben Brockway, of Saint George, in Charlotte County, praying for Legislative aid, by reason of losses sustained by fire.

ORDERED, That the said Petition be received and lie on the Table.

Mr. Peters, from the Committee to whom was committed the Bill to regulate proceedings before Justices of the Peace in Civil Suits, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time.

ORDERED, That the said Bill stand for a third reading to-morrow.

Read a second time, and went into consideration of the Resolutions of Appropriation, dated 14th March, 1834:

Upon the question, whether there be granted to John Flinn, a licenced teacher, the sum of twenty pounds for teaching a School in the Parish of Westfield, King's County, for one year, ending the 11th day of August, 1827, it was decided in the negative:

Upon the question, whether there be granted to His Excellency the Lieutenant Governor the sum of one thousand six hundred and eleven pounds three shillings and one penny, to be apportioned for the several Counties in the Province, to alleviate the distress of many inhabitants, occasioned by the failure of the late crops, the House divided—

CONTENT.

Mr. Chief Justice.

Mr. Shore.

Mr. Peters.

Mr. F. P. Robinson.

Mr. Cunard.

Mr. Botsford.

NON CONTENT.

Mr. Black.

Mr. Allanshaw.

Mr. Saunders.

And it passed in the affirmative.

ORDERED, That the Resolutions of Appropriation, dated 14th March 1834, be taken into further consideration to-morrow.

Mr. Cunard, from the Committee appointed to wait upon His Excellency the Lieutenant

Lieutenant Governor, with the joint Address of this House, and the House of Assembly, relative to the Duties on Foreign Wood, reported, that the Committee had waited upon His Excellency, according to order, and that His Excellency had been pleased to say, he would transmit the same to-morrow.

Mr. Botsford presented a Petition from John R. Partelow, praying that an excess of duty paid by himself and John M. Wilmot, on certain articles, may be granted to them.

ORDERED, That the said Petition be received and lie on the Table.

*Adjourned until To-morrow at 11 o'clock.*

WEDNESDAY, 19th March, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Botsford.*

PRAYERS.

Read a third time, and passed the Bill to regulate proceedings before Justices of the Peace in Civil Suits.

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

Message from the Assembly, by Mr. Simonds, with a Bill, intituled "A Bill to continue and amend the Act for raising a Revenue, and for the increase of the Revenue of this Province," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill be committed to Mr. Peters, and Mr. Allanshaw, to report upon.

Read as engrossed, and ordered that the following Rules be established for the guidance of Proceedings in this House.

I. That Prayers shall be read every day, by the Chaplain of this House, at the opening thereof.

II. That every Member of this House who shall enter when it is sitting, is to give and receive salutations from the rest, and previous to taking his place, make his obeisance to the Chair of State.

III. The Members of this House are to keep their dignity, and order in sitting, as  
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much

much as may be, and not to remove out of their places without just cause, to the hindrance of others that sit near them, and disorder of the House.

IV. That immediately after Prayers, the minutes of the preceding day be always read.

V. That when this House is called, notice shall be taken of such Members as are absent, unless excused by the King, or the Governor in Chief, Lieutenant Governor or Officer administering the Government in this Province.

VI. That for absence every Member is to make his excuse by a Member of this House, and if allowed, he is to be excused; if not, he is to be censured by the House, as the fault requires.

VII. To prevent misunderstandings, and for avoiding offensive Speeches, when matters are debating either in the House or at Committees, all personal, sharp, or taxing Speeches be forborne; and whosoever answereth another man's speech shall apply his answer to the matter, without wrong to the person; and as nothing offensive is to be spoken, so nothing is to be ill taken, if the party that speaks it shall presently make a fair exposition or clear denial of the words that might bear any ill construction; and if any offence of that kind be given, as the House itself will be very sensible thereof, so it will sharply censure the offenders, and give the party offended a fit reparation and full satisfaction.

VIII. That for avoiding all mistakes, unkindnesses or other difference which may grow to quarrels tending to the breach of the Peace, if any Member shall conceive himself to have received any affront or injury from any other Member of the House, either in the Council Chamber or at any Committee, or in any of the Rooms belonging thereto, he shall appeal to the House for his reparation, which if he shall not do, but occasion, or entertain quarrels, declining the justice of the House, then the Member that shall be found therein offending shall undergo the severe censure of this House.

IX. That if any Member have occasion to speak with another Member in this House whilst the House is sitting, they are to go together below the Bar, or else the Speaker is to stop the Business in agitation.

X. The privilege of this House is, that no Member of the said House, during the sitting thereof, or within the usual times of privilege of Parliament, is to be imprisoned or restrained without sentence or order of this House, unless it be for treason or felony, or for refusing to give security for the Peace.

XI. That such Members of this House as shall make protestation, or enter their dissents from any votes of this House, as they have a right to do without asking leave of the House, either with or without their reasons, shall cause their protestation or dissents to be entered in the Clerk's Book the next sitting day of this House, before the rising of the House, and shall then sign the same on such day before the rising of this House.

XII. That all Orders of the Day which, by reason of any adjournment, shall not  
have

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have been proceeded upon, shall be considered only as postponed to the next day on which the House shall sit.

**XIII.** That when a question is under debate, no motion shall be received in the House, unless for the purpose of amending, committing or postponing it to a certain day, or for the Order of the Day, or to adjourn.

**XIV.** That in all motions which may be deemed special, two days' notice thereof shall be given to this House, and that any motion, with leave of the House, may be withdrawn any time before amendment or decision.

**XV.** That after the question hath been entirely put by the President, no Member is to speak upon the question before voting.

**XVI.** That after a question is put, and the House hath voted thereon, no Member shall depart out of his place until the House hath entered upon some other business.

**XVII.** That in voting, the Contents shall rise in their places, and the Non-Contents continue to sit.

**XVIII.** That in all Messages from the Assembly to this House, with a Bill, or otherwise, the same cannot be received unless the object of it be expressed verbally, as hath hitherto been the practice.

**XIX.** As it might deeply intrench on the privileges of this House for any Member to answer an accusation in the House of Assembly, either in person or by sending his answer in writing, or by his Counsel there, It is Ordered, that no Member of this House shall either go down to the House of Assembly, or send his answer in writing, or appear by Counsel, to answer any accusation there, upon penalty of being committed to the Black Rod, or to Prison, during the pleasure of this House.

**XX.** For our Meeting with any of the Lower House, either upon occasion of Messages, which they send up to us, or upon Conference when they come up to us, the manner is thus: When notice is given to the House by the Usher of the Black Rod, that a Message or Deputation is sent to us by the House of Assembly, they attend until the House is prepared to receive them; then we, being seated, send for them; on their coming up to the middle of the Bar, with three courtesies, the President rises and goes down to the Bar and receives their Message, uncovered; the Message is then read and delivered to the President by one of the Members of the Deputation; on their retiring, with three courtesies as before, the President resumes the Chair, and, standing uncovered, reports the Message for the information of the Members; the House then resumes the business it had before it.

**XXI.** That each Member of this House has a right to require that the question or motion in discussion be read for his information at any time of the debate.

**XXII.** Bills are seldom opposed at the first reading, but are generally committed, upon motion, at the second reading, at which time the principle is usually debated.

**XXIII.** That no Bill shall be read twice on the same day: That no Committee of the whole House shall proceed on any Bill, on the same day in which the Bill is committed,

committed, unless the House, upon motion, shall see special cause, for the common utility, to change the same course in any particular instances.

XXIV. That to annex any clause or clauses to a Bill of Aid or Supply, the matter of which is foreign to, and different from the matter of, the said Bill of Aid or Supply, is unparliamentary.

XXV. That when a Bill originating in this House has once passed through its final stage in this House, no new Bill for the same object can afterwards be originated in this House during the same Session.

XXVI. That for the future, no Motion shall be granted for making any Order of this House a standing Order, or dispensing with a standing Order, the same day it is made, nor before the Members of this House, in Town, shall be summoned to consider of the same motion.

XXVII. That Bills brought up from the House of Assembly when reported by the President, and handed to the Clerk, shall be carefully read over by him, and all verbal mistakes (if any) noticed by him to the Speaker in writing.

XXVIII. The President when he speaks to the House, is always to speak uncovered; and is not to adjourn the House or do any thing else, as mouth of the House, without consent of the Members first had, except such things as are of course, wherein the Members may likewise overrule, and in case of difference amongst the Members, it is to be put to the question; and if the President will speak to any thing particularly, he is to go to his own place as a Member.

XXIX. That every Member previous to his speaking to any question or motion, or other matter before the House, shall rise from his seat uncovered, and address himself to the House.

XXX. When a question is decided by vote, the number of both the affirmatives and negatives shall be inserted in the minutes, and also the Members' names if desired.

XXXI. That the Black Rod do not permit any person to come within the House while it is sitting, except the Members and Officers attending.

XXXII. That any Member who brings up a Petition shall, in his place, acquaint the House of the general purport of such Petition, and ask leave for it to be read, which must be seconded before it is read.

XXXIII. No Member is to speak twice to any Bill at one time of reading it, or any other proposition, unless it be to explain himself in some material point of his speech, but no new matter, and that not without leave of the House first obtained. Every Member speaks standing uncovered, and names not Members of the House commonly by their names, but "the Member that spoke last—last but one—last but two," &c. or some other note of distinction.

XXXIV. To have more freedom of debate and to facilitate business, Committees are appointed either of the whole House, or of individuals. Committees of the whole House sit in the House, but then the President sits not in the Chair as President.

XXXV.



**XXXV.** Every Member is to sit in his due place when the House is put into a Committee.

**XXXVI.** If it be desired by any Member that the House be put into Committee, it ought not to be refused.

**XXXVII.** That every Member who shall introduce a Bill, Petition or Motion upon any subject which may be referred to a Committee, shall be one of the Committee without being named by the House.

**XXXVIII.** That in a Committee of the whole House, the Rules of the House shall be observed in so far as they may be applicable, excepting the Rule limiting the times of speaking; and that no motion for the previous question, or for adjournment can be received, but a Member may at any time move that the Chairman do leave the Chair, or report some progress made, and ask for leave to sit again.

**XXXIX.** That when any Bill shall be sent by this House to a Committee, such Committee shall examine in the first place whether the standing Orders of this House have or have not been complied with, and shall report the same to the House.

**XL.** That no Bill, Resolution or other Proceeding founded upon any application addressed to the House of Assembly, be sustained by the Council, unless an application to the same effect, with such documents as may accompany the same, be also presented to the Council in General Assembly.

**XLI.** That it has been for many years the invariable practice, and that it be a standing Rule of this House, that no grant of monies for roads and bridges in any Parish in this Province, in any year, be concurred in by this House, unless it shall appear by the certificate of the Clerk of the Peace for the County in which such Parish is situated, to be filed with the Clerk of this House, that due return of the account of the Statute Labour has been made in the same year, in conformity with the provisions of the Act or Acts of Assembly that may from time to time be in force regulating the Highways and Roads in the several and respective parts of this Province, and unless it shall also appear by such certificate, that the Statute Labour has been faithfully performed by the Inhabitants of the Parish for which any money is intended to be granted, or that the delinquents have been prosecuted.

**XLII.** That in future it be a standing Rule of this House, not to be departed from unless under very special circumstances, that no Bill of a local nature shall be sustained by this House, unless such Bill has been previously read at some General Sessions of the Peace for the County to which such Bill may relate; and it be made to appear by the certificate of the Clerk of the Peace that the same was so read in open Court.

Message from the Assembly, by Mr. Chandler, that they have agreed to the amendments made to the Bill to provide for the payment of interest on warrants which are not paid at the Treasury on demand.

Message from the Assembly, by Mr. Allen, that they have agreed to the amendments made to the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick. Pursuant

Pursuant to the Order of the Day, went into consideration of the draft of an Address to His Majesty, on the subject of the relative rank of the President and Members of the Legislative Council, and those of the Executive Council, and other matters set out in the said Address.

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

Resumed the consideration of the Resolutions of Appropriation, dated the 14th March, 1834, and agreed to the same, with exception hereintofore entered.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exception hereintofore entered.

*Adjourned until To-morrow at 11 o' Clock.*

THURSDAY, 20th March, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Mr. Peters, from the Committee to whom was committed the Bill to continue and amend the Act for raising a Revenue, and for the increase of the Revenue of the Province, reported the same.

ORDERED, That the report be received.

Read the said Bill a second time, and went into consideration of the same.

On motion—ORDERED, That the said Bill be taken into further consideration to-morrow.

Message from the Assembly, by Mr. Vail, with a Bill, intituled "A Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Message from the Assembly, by Mr. J. Humbert, with a Bill, intituled "A Bill to appropriate a part of the public Revenue to the payment of the Ordinary Services of the Province," to which they desire the concurrence of this House.

Read the said Bill a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

*Adjourned until To-morrow.*

FRIDAY,

**FRIDAY, 21st March, 1834.**

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. Shore.*

*Mr. Peters.*

*Mr. F. P. Robinson.*

*Mr. Cunard.*

*Mr. Allanshaw.*

*Mr. W. H. Robinson.*

*Mr. Saunders.*

*Mr. Botsford.*

PRAYERS.

Resumed the consideration of the Bill to continue and amend the Act for raising a Revenue, and for the increase of the Revenue of this Province.

Read a third time and passed the said Bill.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to this Bill.

The following Resolution was moved :

WHEREAS in the Revenue Bill of this present Session sent up for the concurrence of the Council, new subjects of taxation have been inserted therein, without previously submitting the same for their distinct consideration, in violation of the course of proceedings which has been for many years adopted between the two Houses; thereupon—RESOLVED, That although they are induced to pass the present Revenue Bill, in order to avoid the great injury to the public service, and the individual distress that would ensue from its rejection, they do so with a firm determination to resist in future every proceeding of a similar tendency, or in any way at variance with the customs of the Imperial Parliament, or the established Rights and Privileges of this House.

Upon the question, whether the said Resolution should pass, it was decided in the affirmative.

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate this Resolution.

On Motion—Ordered, That for particular reasons, the Twenty third Rule of this House be dispensed with.

Read a second and third time, and passed the Bill to provide for opening and repairing road and erecting bridges throughout the Province.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to this Bill.

On Motion—Ordered, That for particular reasons the Twenty third Rule of this House be dispensed with.

Read a second and third time, and passed the Bill to appropriate a part of the public Revenue to the payment of the Ordinary Services of the Province.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to this Bill.

Message from the Assembly, by Mr. J. Humbert, with a Bill, intituled " A Bill  
to

to appropriate a part of the public Revenue for the services therein mentioned," to which they desire the concurrence of this House.

On Motion—Ordered, That for particular reasons the Twenty third Rule of this House be dispensed with.

Read the said Bill a first and second time.

ORDERED, That the said Bill stand for a third reading to-morrow.

Resumed the consideration of the Address to His Majesty on the subject of the relative Rank of the President and Members of the Legislative and Executive Councils, and other matters set out in the said Address, and upon the question, whether the same be agreed to the House divided—

CONTENT.

Mr. Chief Justice.

Mr. Black.

Mr. Shore.

Mr. Allanshaw.

Mr. W. H. Robinson.

Mr. Saunders.

NON CONTENT.

Mr. Cunard.

Mr. Botsford.

And it passed in affirmative.

ORDERED, That the Address be engrossed.

*Adjourned until To-morrow at 10 o' Clock.*

SATURDAY, 22d March, 1834.

PRESENT.

THE HON.

*Mr. Chief Justice Saunders, President.*

*Mr. Black.*

*Mr. F. P. Robinson.*

*Mr. Allanshaw.*

*Mr. Saunders.*

*Mr. Shore.*

*Mr. Cunard.*

*Mr. W. H. Robinson.*

*Mr. Botsford.*

PRAYERS.

Read a third time, and passed the Bill to appropriate a part of the public Revenue for the services therein mentioned.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to this Bill.

Read as engrossed the Address to His Majesty on the subject of the relative Rank of the President and Members of the Legislative and Executive Councils, and other matters set out in the said Address as follows:—

“To

**“To the King’s Most Excellent Majesty.**

*“The Humble and Dutiful Address of His Majesty’s Legislative Council of the  
“Province of New Brunswick, in General Assembly convened.*

“MAY IT PLEASE YOUR MAJESTY,

“**W**E have had the honor to receive, by Message from His Excellency the Lieutenant Governor, the Dispatch of Your Majesty’s Secretary for the Colonies, in answer to our Address to Your Majesty, respecting the relative rank of the President and Members of the Legislative Council, and those of the Executive Council. At the time when we had the honor of addressing Your Majesty upon that subject, it was a system perfectly new to us, and had been entirely unknown to the constitution of this Colony, as well as to that of the ancient Colonial system, and which has been but very recently introduced by Act of Parliament into any of the Colonies. We, therefore, most humbly crave leave again to approach Your Majesty, and to offer for Your Royal and benevolent consideration, some additional reasons and observations in elucidation and support of our claim, that the Members of the two Councils should respectively rank and succeed to the Administration of the Government according to the seniority of their appointments, as has heretofore, from the time of the first establishment of Colonial Governments in North America, been accustomed.

“That the Council appointed by Your late Royal Father of glorious and revered memory, upon the erection of this Country into a separate and distinct Government, have invariably from that time performed, and do still continue to perform, all acts of Legislation in as full and ample a manner here, as the House of Lords have done in England, conducting all our proceedings and keeping our Journals strictly conformable to those of their Lordships, and have always been considered in the Colony, as well by the people at large, as by the House of Assembly, to stand in strict analogy in those respects with their Lordships; nor do we think that Your Majesty’s Letters Patent of the 3d of December, for dividing the Council, did in any manner impugn, alter or diminish the powers or duties of the Members of the Legislative Council conferred upon them by Your late Royal Father; but that the Council then established, constituted an efficient, independent and permanent Branch, or part of the Constitution of the Colony, and which could not be changed or altered, but by an Act of this Legislature, by and with the consent of Your Majesty, although its Members have been, and still continue to be appointed during pleasure: and we take leave humbly to submit for Your Majesty’s favorable consideration, whether their being appointed for life, would not be more conducive to Your Majesty’s interest, and that of the Country, by raising them in the estimation of the Public, and thereby promoting their usefulness and efficiency.

“We abstain from making any additional observations respecting the Executive Council, and confine ourselves briefly to recapitulate, that, as we have not been able to find that the Members of such a Council are recognized in the table of Precedence in England, or in that which has been adopted for the Colonies; and as it appears to bear so slight a resemblance to Your Majesty’s Cabinet, either in the

extensiveness or importance of its duties, we therefore humbly conceive, that it cannot be entitled to a relative corresponding rank in this Colony.

“ We, in all humility, beg leave respectfully to represent, that the forming of this Council, by breaking up by Letters Patent the old Council which was constituted in the same manner and with the same powers, conformable to all Colonial Councils which had been instituted from the first establishment of Colonial Governments in North America, was altogether uncalled for by any representation or complaint from this Country against it; and it could not fail to excite feelings of great concern in the Members of the old Council, to observe, on the establishment of this new one, that a junior Councillor was selected and placed at its head, with the intention of giving him not only rank above his seniors, but also of investing him with the power of administering the Government in case of a vacancy; thus depriving them of the honorable distinction and reward which, from their zealous and faithful services to Your Majesty, they had conceived themselves entitled to expect.

“ We, therefore, humbly beg leave to lay the above brief statement before Your Majesty, and to pray that You will be graciously pleased to take the same into Your paternal and favorable consideration, and to allow the Members of the two Councils respectively, to rank and succeed to the Administration of Government according to the seniority of their appointments, as has been accustomed from the time of the establishment of Colonial Governments in North America, and also to pray that Your Majesty would be graciously pleased to appoint the Members of the Legislative Council for life.

“ And as in duty bound will every pray.”

(Signed) JOHN SAUNDERS, President.

*Legislative Council Chamber, 22d March 1834.*

ORDERED, That Mr. Allanshaw, and Mr. W. H. Robinson, be a Committee to wait upon His Excellency the Lieutenant Governor, and request that he will be pleased to transmit the said Address to be laid before His Majesty.

Message from the Assembly, by Mr. Hayward, with the following Resolution:—

*House of Assembly, Saturday, 22d March, 1834.*

RESOLVED, That a Committee of this House be appointed, to join such Committee of the Legislative Council as may be appointed by them, for the purpose of examining into and inspecting, during the recess, the proceedings and Vaults of the Corporation of the Bank of New Brunswick, and that the said Committee do report such examination and inspection, at the next Session of the Legislature.

ORDERED, That Mr. Partelow and Mr. Ward be a Committee of this House, to join such Committee as the Council may appoint, for carrying the object of the said Resolution into effect.

And further—Ordered, That Mr. Hayward communicate the said Resolution to the Council, and acquaint them with the appointment of the Committee.

Went into consideration of the said Resolution.

ORDERED, That Mr. F. P. Robinson be a Committee to join the Committee of the Assembly to examine the vaults and proceedings of the Bank of New Brunswick;

wick; and that the Master in Chancery do go down to the Assembly, and communicate the above appointment.

**On Motion—RESOLVED,** That a Committee of this House be appointed to join such Committee of the Assembly as may be appointed by them, for the purpose of examining into and inspecting, during the recess, the proceedings and vaults of the Corporation of the Charlotte County Bank, and that the said Committee do report such examination and inspection at the next Session of the Legislature.

**ORDERED,** That Mr. Saunders be a Committee of this House, to join such Committee as the Assembly may appoint for carrying the object of the said Resolution into effect; and that the Master in Chancery do go down to the Assembly and communicate this Resolution, and acquaint that House with the appointment of the Committee.

Mr. Allanshaw, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this day, reported, that they had waited upon His Excellency, according to order, and that His Excellency had been pleased to say, he would transmit the Address by the first Mail.

Message from the Assembly, by Mr. Ward, that Mr. Partelow and Mr. Ward were appointed a Committee by that House, for the purpose of examining into and inspecting, during the recess, the proceedings and vaults of the Corporation of the Charlotte County Bank.

The House was adjourned during pleasure.

After some time the House was resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and by Message, commanded the attendance of the House of Assembly.

The House of Assembly attended accordingly.

His Excellency gave his assent to the following Bills:—

A Bill to continue and amend the Act for raising a Revenue, and for the increase of the Revenue in the Province:

A Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province:

A Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province:

A Bill to appropriate a part of the Public Revenue for the services therein mentioned:

A Bill to authorize the Justices of the Peace in the County of Kent, to levy an assessment upon the inhabitants of the said County, to discharge the debts due from the same:

A Bill to provide for the establishing and maintaining of Booms for securing Masts, Logs and Lumber, in the County of Gloucester:

A Bill to continue an Act, intituled “An Act for the regulation of Booms for securing Masts, Logs and Lumber, in certain parts of the County of Northumberland:”

A

A Bill to explain the Act for preventing the importation and spreading of infectious Distempers, in the City of Saint John :

A Bill to protect the Gaspereau Fishery in the Harbour and River of Miramichi, in the County of Northumberland :

A Bill to continue an Act passed in the second year of His Majesty's Reign, intituled "An Act to empower the owners of the Saw Mill at the Rolling Dam, on the River Digdeguash, in the County of Charlotte, to erect a Boom for the securing of Saw Logs on the said river :"

A Bill to continue an Act passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled "An Act to repeal all the Laws now in force for the appointment of Firewards, and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned :"

A Bill to revive an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province, without licence :"

A Bill to provide for the punishment of cruelty to animals :

A Bill for taking an account of the Population of this Province :

A Bill to authorize the Justices of the Peace for the County of Westmorland, to levy an assessment upon the inhabitants of said County, to discharge the debts due from the said County :

A Bill to continue and amend the Acts relating to the Herring Fisheries in the County of Charlotte :

A Bill to facilitate summary proceedings before Justices of the Peace, and the execution of Warrants by Constables :

A Bill to prevent desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters :

A Bill to authorize the Justices of the Peace in the several Counties in this Province to make assessments for the payment of County Officers, and also to authorize the Justices of the Peace for the County of Northumberland, to make further provision for the payment of the Treasurer of that County :

A Bill in addition to and amendment of the several Acts now in force to provide for sick and disabled Seamen, not being Paupers belonging to this Province, so far as the same relate to the County of Gloucester :

A Bill to amend an Act, intituled "An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof :"

A Bill in further amendment of an Act, intituled "An Act subjecting Real Estates in the Province of New-Brunswick to the payment of Debts, and directing the Sheriff in his proceedings thereon :"

A Bill more effectually to punish the crime of Forgery :

A Bill to continue an Act to provide for the erection of Fences with Gates across highways leading through intervale lands in Queen's County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County :

A Bill to authorize the Justices of the Peace for the County of Charlotte, to levy an assessment towards paying off the County debt, and for other purposes therein mentioned :

A



- A Bill to provide for the safe keeping of County Records :
- A Bill for granting Patents for useful Inventions :
- A Bill to alter the division line between the Counties of York and Carleton :
- A Bill for further improving the Administration of Justice in Criminal Cases :
- A Bill for the further regulation of the formation of the Court of Governor and Council for the determination of all suits and controversies touching and concerning Marriage and Divorce :
- A Bill further to continue the Laws relating to the Fisheries in the County of Northumberland :
- A Bill to amend the Law relating to assessments in this Province :
- A Bill more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes :
- A Bill to authorize the Justices of the General Sessions of the Peace for the City and County of Saint John, to levy an assessment to enable them to pay off the County Debt :
- A Bill in furtherance of and to regulate Juvenile Emigration from Great Britain to this Province :
- A Bill in addition to and in amendment of an Act passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act for relief against absconding Debtors :"
- A Bill to continue the Acts now in force for the relief of insolvent confined Debtors :
- A Bill in addition to and in amendment of an Act made and passed in the fiftieth year of the Reign of His late Majesty King George the Third, intituled "An Act to regulate the proceedings in Actions of Replevin, and to enable the sale of Goods distrained for Rent, in case the rent be not paid in a reasonable time, and for the more effectual securing the payment of Rents, and preventing frauds by Tenants :"
- A Bill for the incorporation of the Saint John Mills and Canal Company :
- A Bill to revive and amend an Act to incorporate sundry persons by the name of *The Saint John Water Company* :
- A Bill to establish and regulate a Summary Practice in the Supreme Court :
- A Bill to erect a new Parish in the County of Sunbury :
- A Bill to provide for the payment of Interest on Warrants which are not paid at the Treasury on demand :
- A Bill to incorporate sundry persons by the name of *The President, Directors and Company of the Central Bank of New Brunswick* :
- A Bill to regulate proceedings before Justices of Peace in Civil Suits :
- A Bill to increase the Representation of the Counties of Carleton, Gloucester and Kent: *With a suspending clause* :
- A Bill to authorize the sale or Mortgage of the Estates of persons found lunatic by inquisition in this Province, the granting of leases of the same, and the conveyance of Estates held in trust by Lunatics or Idiots: *With a suspending clause* : and
- A Bill to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several religious Congregations in this Province. *With a suspending clause.*

His Excellency was then pleased to deliver the following Speech :—

*Mr.*

*Mr. President, and Honorable Gentlemen of the Legislative Council,  
Mr. Speaker, and Gentlemen of the House of Assembly,*

The Session, which is now brought to a close, has been distinguished by discussions upon various questions confessedly of high importance ; and I earnestly desire that the result of your labours may be productive of solid benefit to the Country.

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

The proceedings of this Session have been viewed with intense interest by the people of this Province, who will now judge how far your deliberations and decisions may have coincided with the views, or realized the expectations, of your intelligent and loyal Constituents. There is, however, one point acknowledged to be of deep and general interest to the Country, which I cannot but regret that you should have passed over without notice. I allude to the Dispatch from His Majesty's Secretary of State, relative to the resumption of the collection of the Quit Rents—a point which I had hoped would have been deemed of sufficient importance, to have received some separate and specific consideration; and that some provision would have been made for the relief of your Constituents, in the event of the proposals respecting the surrender of the Casual and Territorial Revenue, not being acceded to—the more especially so, as this prudent foresight could in no degree have militated against the acceptance of any propositions to be made for that end.

I thank you, in the King's name, for the supplies which you have voted for public purposes; and I will take care that such of them as are placed at my disposal, shall be applied, with economy and effect, to the several objects for which they are intended.

After which, the President of the Council, the Honorable Mr. Chief Justice Saunders, by His Excellency's command, declared the General Assembly to be prorogued to the First Monday in June next.

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# APPENDIX.

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No. 1.

[See Journal 12th February, 1834.]

*Downing-street, 2d September, 1833.*

SIR,

**I**N reference to that part of my Dispatch No. 18, of the 7th of August last, in which I mentioned that the draft of a Bill on the subject of Water Lots, would be prepared in this Country, I have the honor to inform you, that upon re-consideration it appears to me that a Bill requiring so much knowledge of localities can be drawn with most advantage in the Colony, and I have therefore to request that you will devolve the duty upon the Provincial Attorney General.

I am,

Sir,

Your most obedient Servant,  
(Signed) E. G. STANLEY.

Major General Sir Archibald Campbell, G. C. B. &c. &c. &c.

True Copy

J. CAMPBELL, Private Secretary.

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*Fredericton, 27th January, 1834.*

May it please Your Excellency,

**Y**OUR Excellency having communicated to me, on the thirty-first day of October last, that by instructions received from His Majesty's Government, the duty of preparing the draft of a Bill to be laid before the General Assembly, having for its object to quiet the apprehensions of Proprietors of Lands, holding grants from the Crown, fronting on the Banks and Rivers or other waters in the Province, had been confided to me as Provincial Attorney General, in place of the same being prepared and sent out from England, I have now the honour to report, that immediately after

after the receipt of Your Excellency's communication, I caused public notice to be given to the Inhabitants to that effect, through the medium of the different High Sheriffs of Counties, and also in the public Newspapers, stating that I would receive information from the owners of Lands so bounded as to the relative situation of their respective Water Fronts, and the extent and nature of the desired accommodation by them respectively required, to enable me to discharge the duty thus imposed on me,—a copy of which notification is herewith enclosed marked A.

The meeting of the Provincial Legislature being now very nearly at hand, I have to state, that although three months have elapsed since the date and publication of that notification, I have not as yet been favoured with any communication from which I can derive such information as will enable me to perform the duty required of me, according to the spirit and intention in which the Royal Instructions appear to view the intended boon. Copies of the only ones as yet received, I also enclose numbered 1, 2, 3, 4, 5.

From the general knowledge which I possess, in consequence of a residence in the Colony since its first establishment in the year of our Lord 1781, and having visited every section thereof, I am induced to entertain many doubts whether any Law, in abstract and general terms, can be framed, which will not, in the result, be liable to produce, and will produce, unlooked for inconvenience, if not collision and expensive legal controversy between many, very many, of the different proprietors of lands bounded as expressed, as probably the greater part of those lands so circumstanced has passed out of the hands of the original Grantees, in many cases, in divisions and subdivisions, and by particular meets and bounds, according to the understanding and view of the parties, without looking forward on either side to the measure now in contemplation, and under such circumstances, that no general or even particular provision of the law will meet, and could only be settled between them by resort to a Court of Equity, a most dilatory and expensive proceeding in this Country.

As the object of His Majesty's Government, in proposing to carry into effect His Majesty's most gracious intentions in this respect, by an Act of the Legislature in place of a Royal Grant of each *locus in quo* to each respective individual, was, I humbly conceive, to save expense to the grantees, and not with any view of submitting to the sense and judgment of the General Assembly in Legislative discussion, any question as to the nature or extent of the proffered boon, it cannot be considered an unreasonable requisition that any person interested and desirous to participate in the proffered gracious offer, shall make known the nature and extent of the benefit or privilege, the possible deprivation of which by any grant hereafter to be made, may be deemed a hardship, as being contrary to what he may have understood to be within the intent, scope and meaning of the original grant, and no injury can arise to the holders of such lands by postponing the preparation of the proposed draft of a law, until full and satisfactory information can be obtained, as it appears to be the intention of His Majesty's Government that no grant shall pass or sale be made of Water Fronts, which may be deemed contrary to the reasonable expectation of a former grantee; and in all future grants care will be taken to prevent ambiguity or uncertainty; and further as in the leading case referred to in the Royal Instructions on this subject—to wit, the case of Messrs. Hazen, Simonds and White, those original  
Grantees

Grantees many years since applied for and obtained, and now hold a license of occupation from the Government for the entire space between the lines of high and low water mark, in such part of their grant, as can on any principle consistent with the terms of that grant, the public interest and other grants from the Crown, be conceded to them.

I have the honor to be,

Sir,

Your most obedient, humble Servant,

**CHARLES J. PETERS,**

*Attorney General.*

Major General Sir Archibald Campbell, G. C. B. &c. &c. &c.

A.

CIRCULAR.

*Attorney General's Office, Fredericton, }  
2d day of November, 1833. }*

SIR,

**H**AVING received the commands of His Excellency the Lieutenant Governor, pursuant to instructions from His Majesty's Secretary of State for the Colonial Department, to prepare the draft of a Bill, to be laid before the General Assembly, "to quiet the apprehensions of proprietors of lands on the banks of rivers or other waters in this Province," I have to request you will make public to the owners of lands so situated within your County, that I shall be ready to receive any communications from them, as to the relative situations of their respective water fronts, and the extent and nature of the desired accommodation.

Such communications will be expected by private conveyance or post paid.

I have the honor &c.

**CHARLES J. PETERS,**

*Attorney General.*

To A. B. Esquire, High Sheriff, &c. &c.

1.

*Saint Stephen's, 20th November, 1833.*

SIR,

**H**AVING this moment observed your information in the Saint Andrew's Standard, relative to individual rights of water privileges attached to the fronts of their lands, I now give you a correct statement of the hardship I have laboured under from a representation that Post Cove was always reserved by His Majesty for public accommodation, which I always expected was only an opinion of certain people to answer certain purposes.

When I purchased No. 4 in Town Plat, Major M'Donald, then Deputy Surveyor,

or,

or, run out the lot to me; and run it twenty three rods in length, six rods in breadth, which I received a deed of accordingly from Robert Hitchins, and paid him £50, not having the most distant idea that the Cove was Government property, as the Surveyor run over the small fresh water rivulet to obtain the quantum of land I purchased, say 23 rods, which butts on land formerly owned by Robert Pagan, Esquire, deceased; and I am well satisfied in my mind Government had no wish to claim fresh water courses that run into the river. This is the only solitary Cove of the kind that has been taken notice of as claimed by Government from Oak Point to the Head of the tide, a space of seven miles. Strange this spot should cause so much excitement.

What I wish to understand from you is this—18 years ago I sold part of No. 4 and gave Grant, the purchaser, his part by admeasurement 11 rods running across this contended Cove, and with which for fifteen years he was satisfied; when this rumour of the Cove's being Government's, Grant became uneasy and called on me for land from my garden for the land the Cove engrossed, alleging I had sold him land not my own. Not knowing but I might have been misled, and it did belong to Government, I gave him as much land from my garden as the Cove engrossed, and Grant still claims the prior right to the Cove, which at the same time I have given him as much in lieu. This you will readily join with me is neither honor or justice. Grant is not injured, for I have remunerated him in his land four fold by giving him as much as the Cove engrossed from a valuable spot from my garden.

All I wish Sir is, if it is not reserved by Government it is mine bought and paid for, and you will confer on me as a favor to say if it is or is not Government property.

Your positive answer will oblige.

Your most obedient servant,  
(Signed) **WILLIAM ANDREWS.**

To C. J. PETERS, Esquire,  
His Majesty's Attorney General.

The difficulty attending on this case as connected with any general regulating Law must be obvious.  
(Signed) C. J. PETERS, *Attorney General.*

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2.

*Saint John, December 3d, 1833.*

CHARLES J. PETERS, Esquire.

SIR,

IN consequence of notice given in the Royal Gazette for all persons interested in the water privileges in front of their lots to address you respecting them, I beg leave to state, that being informed it was the intention of the Honorable the Commissioner of Crown Lands to sell the water privileges attached to the Lots on the Bank in front of Saint Andrew's Harbour, I petitioned on behalf of Miss Elizabeth M'Kenzie for the flats in front of two lots she owns. The prayer of this Petition was granted, and on the 11th May 1831, I, in her behalf, remitted John A. Beckwith, Esquire, by cheque, twenty two pounds four shillings and four pence, being

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being the amount the flats were valued at by Mr. Deputy Surveyor Smith residing in the Town of Saint Andrews, reference to the documents in the Surveyor General's Office will confirm this statement.

I beg leave to submit whether Miss E. M'Kenzie ought not in justice to have this money returned to her, if the other proprietors have the flats in front of their lots granted them without purchase, as I am led to believe from your circular is the intention of His Majesty's Ministers.

I am respectfully, &c.  
(Signed) **ROBERT W. CROOKSHANK.**

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**3.**

*Saint John, 25th December, 1833.*

SIR,  
**O**BSERVING the notice of the Sheriff to persons interested in the water lots in front of their respective lands, I beg leave to state to you the situation of lands belonging to me at the Salmon River, and I shall feel much obliged to you to give the statement such attention as the nature of it may require. Ist. The lot whereon my Mill Establishment is erected, situate on the Salmon River in Queen's County: This lot was granted to John Tapley, and a double Saw Mill built thereon; and in order to make the establishment secure the bank was dug away to receive the Mill, and a Dam built extending across the Stream. Since the erection of the first Mill the bank in shore of it has been washed away, so as to admit of two double Mills, one of which I have put up, and laid the foundation of the third Mill, where the water by gullying was 20 feet deep; the first Mill now stands nearly in the middle of the Stream, in consequence of the River widening by washing away of the banks. My object now is to get secured to me the right of the Stream or Flats in front of this Lot, to extend half way across the Stream from the original banks, and to secure the privilege of the Dam extending across the said Stream. The Stream, or River as it is called, is not navigable only when there is heavy runs of water, and then only for small boats; at other times there is only a foot of water and the Stream rapid. I have formed this establishment at a very heavy expense, and is of great importance to the settlers of that part of the Country, and therefore I think the privilege I ask for, as well for the good of the settlers as for myself, ought to be allowed me. I also own the upper quarter of a Lot on the opposite side of my establishment, originally granted to James Tapley, and two hundred acres purchased at the Land sales, adjoining it. The Flats and Stream in front of these Lots are very essential to my establishment for the purpose of erecting Piers and Booms to secure logs to be sawn at the Mills, and for that purpose I wish to get the Flats and Stream in front of the said Lots secured to me, to extend across the Stream, so as to enable me to secure Logs on both sides of it, but not to interfere with the navigation. The land on the opposite side is of the worst description, so as not to admit of being settled, therefore, occupying the Stream as above stated, will be of no inconvenience in that way.

I remain, &c.

(Signed)

W. E. NELSON DEVEBER.

To His Majesty's Attorney General,  
&c. &c. &c.

This application applies to a Mill Seat on Salmon River, clearly without the bounds of all the grants; which different persons have taken possession of, and built Mills thereon, and respecting which they have been at law with each other for several years, and respecting which some suits are I believe still pending

(Signed)

C. J. PETERS, *Attorney General*.

4.

*Saint Andrews, 14th January, 1834.*

SIR,

HAVING observed your Circular of the 2d of November, addressed to the several Sheriffs throughout the Province, relative to the Water Lots, and being the owner of five, in different divisions of the Town Plat of Saint Andrews, on all of which there are Wharves and on some of them Buildings, I am desirous to have the full enjoyment of the water privilege to low water mark, as I was under the belief previous to my purchasing and have been ever since, that I am fully entitled to the same. The situation of the lots I have described below.

I have the honor, &c.

(Signed)

JAMES BOYD.

To CHARLES J. PETERS, Esquire, Attorney General.

No. 7 and 8, Block Letter K, Bulkley's division.

No. 1 and 2, Unlettered Block, Parr's division.

No. 8, Letter C, 'Morris' division.

N. B.—Lots No. 1 and 2 in Parr's division having valuable wharves and buildings on them I was induced under circumstances at the time to purchase from Mr. Baillie, the water, and paid down 25 per cent. Since which, Mr. Beckwith told me he would refund the money if I wished it, which I certainly do.

(Signed)

J. B.

The Town of Saint Andrews fronts on the Harbour, which is of such peculiar form, and has such extensive flats, and a bar connecting the main land to Island in front forming the Harbour, that no accurate idea can be formed as to the consequence of extending all Lots to low water mark, without an exact plan and description of the same. A general extension of all the Lots in the Town and on the opposite and circumjacent land to low water, might be the destruction of the Harbour.

(Signed)

C. J. PETERS, *Attorney General*.

5.

*Saint Andrews, 14th January, 1834.*

SIR,

HAVING observed in the Royal Gazette, and other Newspapers, your Circular to the Sheriffs of the several Counties, requiring persons owning Lands fronting on the Bays, Rivers &c. of this Province, to make their applications to you, I beg leave to inform you, that I am the proprietor of the Southern half of Chamcook



Chamcook Island near Saint Andrews, and have a strong desire to be included in any general measure intended to be adopted, for the purpose of securing to the proprietors of the soil, the Beach, Flats and other privileges in front thereof. I stated my case about twelve months since to the Honorable Commissioner of Crown Lands, through Captain Spearman, and was informed by that gentleman on his return, that my request would be complied with.

I have the honor, &c.

(Signed)

WILLIAM DOUGLAS.

To C. J. PETERS, Esquire, Attorney General, Fredericton.

This Island is so situated that the recess of the Tide leaves a large and extensive flat, and at half tide an entire bar of communication with the main land and will necessarily require a plan and very special limitations and restrictions which could not, I conceive, well be embodied in any general Legislative enactment.

(Signed)

C. J. PETERS, *Attorney General.*

No. 2.

[See Journal 13th February, 1834.]

*Downing-street, 7th August, 1833.*

SIR,

I HAVE received your Despatches of the 11th March, and 9th April, containing certain Resolutions of the Assembly of New Brunswick relative to grievances which are alleged to exist in the Province, and an Address from the same Body, to which minutes of evidence are annexed, in proof of the justice of the complaints which are brought forward. To these documents you have supplied marginal comments for my information, and it is therefore unnecessary for me to refer them to you, as I should have otherwise done, for such observations as you might have to offer.

The Address to which I have alluded calls the attention of His Majesty to the following points in the Administration of Colonial affairs, which, in the opinion of the Assembly, require to be amended:

1st. Timber Reserves.

2d. Mill Reserves.

3d. Additional charge of 3d on Timber.

4th. Exaction of double duty by the Officers of the Crown Land Department.

5th. The Town Plat at Fredericton.

6th. Collection of Quit Rents.

7th. The division of the Councils and composition of the Executive Council.

8th. Account of the Crown Revenues.

Besides the foregoing subjects, the sale of Water Lots, the mode of laying out Timber Berths, and some other matters of complaint, are brought under notice by the evidence appended to the Address.

The papers transmitted in support of the alleged grievances are stated in the list which is hereby subjoined:

Report and evidence of the Committee of Grievances.

Petition from the Inhabitants of Fredericton on the Town Plat.

Petition

Petition from the County of Northumberland on Grievances connected with the Crown Lands.

Petition from the County of Gloucester on Grievances connected with Crown Lands.

Various Petitions on Quit Rents.

Divers papers on the Crown Revenues, and the question of a Civil List.

In pursuance of a Resolution of the Assembly of New Brunswick appointing Mr. Charles Simonds and Mr. Chandler as Delegates to communicate to the Home Government the representations of the Province, these gentlemen have presented themselves at the Colonial Office, and they have since delivered in sundry papers of which I have the honor to inclose copies, and in which the following subjects as matters of complaint are touched upon by direction of the Assembly in addition to those which have been brought forward in the Address to the King :

Post Office Department.

Difference between Custom House Officers and Provincial Treasury, on the application of Seizures.

Tea Trade.

Old Parliamentary Duties.

Royal Instructions as to Duties on British Manufactures.

King's College.

The pressure of public business has hitherto prevented my giving as much consideration to the representations as the subjects demand, but I have afforded the Delegates an opportunity of stating to me at a personal conference the wishes of the Province, and I have also taken advantage of Mr. T. Baillie's presence in this Country to consult him on those points connected with the Department to which he belongs which have formed the subject of particular complaint.

In the letter addressed to me by the Delegates dated the 19th June, they have confined themselves to the most material of those subjects which they were instructed to bring under the consideration of His Majesty's Government, and it may be convenient to take them in the order in which they are thus enumerated, conveying to you at the same time such instructions as may be requisite on the different subjects.

The Delegates have informed me that they are anxious to return to New Brunswick at the earliest moment, and I have thought it right to furnish them, previous to their departure, with a general statement of the mode in which I have felt it to be my duty to advise His Majesty to deal with the several matters which have formed the subjects of their representations. Of that statement I enclose a copy for your information, as I am most anxious that you should possess the most intimate knowledge of the whole of these transactions, involving as they do so materially the tranquillity of New Brunswick, and your own personal comfort and respectability as Governor of the Province.

### WATER LOTS.

On this subject, I think it will be right to quiet the apprehension of proprietors of Lands

Lands on the banks of Rivers and other waters. I have therefore to authorize you, to propose to the Legislature the enactment of a Law by which in all cases where the grant itself does not clearly, (as in the case of that made to Messrs. Hazen, Simonds and White,) extend to low water mark, the privilege of the proprietor shall nevertheless be deemed to extend to low water mark, or to such reasonable distance from the bank as will not interfere with the navigation of the River or Harbour on which the grant may be situated. In this measure the rights of the Crown should be so far reserved as to allow an interference for the care of Towing Paths, or for the prevention or removal of any obstructions to the uninterrupted navigation of the River.

All future grants or sales should be deemed to include Water Lots unless specially excepted. The draft of a Bill for effecting all these purposes will be prepared in this Country, and be forwarded to you, if possible, before the Meeting of the Legislature.

#### TIMBER RESERVES.

The Reserves alluded to are those of Mr. Cunard, one on the Nepisiquit, the other on the North West Branch of the Miramichi. The general defence of these Reserves is, that they were granted with a view of procuring a large expenditure of private capital to remove obstructions in Rivers, but as I have been given to understand that Mr. Cunard has not found it convenient to embark in so expensive an undertaking, I cannot help considering, that as circumstances have prevented him from fulfilling his part of the agreement he ought to be called upon to give up the reserves in question.

It will be proper that the whole system of granting Reserves should undergo revision, for there are great objections to that at present pursued, by which they are granted to individuals by the sole authority of one public officer.

#### MILL RESERVES.

I can see no objection, in an unsettled country, to selling, together with a mill site, the right of sawing Logs within a certain district, as an inducement to expend capital in the erection of proper buildings; but the right should be for a limited period, proportioned to and conditional upon the expenditure of capital, and should be offered to fair competition in the first instance. When therefore a Mill reserve is applied for, and the project of erecting a Mill on the particular site is deemed worthy of encouragement, the Reserve may be made, but instead of being at once granted to the first applicant, or disposed of according to the will of any Government Officer, it should be offered to sale by public auction. In this manner the original applicant will not be deprived of an opportunity of erecting a Mill, with the advantage of a Reserve, while impartiality will be secured to the public and a fair price to the Crown. No Reserve should be granted to an established Mill site: when encouragement is no longer necessary for procuring the erection of a mill, the grant of a Reserve would be a gratuitous monopoly.

#### TIMBER BERTHS.

On this subject there are various complaints: 1st. That by the authority of the  
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Commissioner of Crown Lands, an additional charge of 3*d.* per Ton has been imposed in lieu of fees for surveying and laying out the Timber Berths : 2*dly.* That this amount of 1*s.* 3*d.* per Ton is ruinous to the Timber Trade of the Province : 3*d.* That the duty of laying out the Berths is not in fact performed : 4*th.* That by the negligence of the Crown Land Office concurrent Licences are granted to different individuals on the same Berth : and 5*th.* That extraordinary charges are made upon the sole authority of the Commissioner of Crown Lands or his Deputy.

1, 2 and 3. On the first two heads there does not appear to be much ground of reasonable complaint. The question of Timber duties need not, and ought not, to be mixed up with the amount of Tonnage. The Tonnage is in the nature of a rent charged by the Crown as proprietor of the greatest portion of waste land, and it appears from Mr. Baillie's statement, (which I do not find contradicted,) that the price demanded is considerably less than that charged in the neighbouring districts of the United States, or on private property in New Brunswick. The system of payment by salaries is also infinitely preferable to that by fees ; but it is unquestionably the duty of the Commissioner of Crown Lands to see that the duties imposed upon his Deputies, for which the extra charge is made, are fully and efficiently performed. It seems doubtful whether this has been done in most instances or not, it would rather appear that the laying out of the Berths has been frequently neglected, but the Officers state that the parties have been generally satisfied with what has been done, and it is rather singular that no Witness speaks to having sustained inconvenience in his own case, except Mr. Bois, whose testimony may be balanced against that of Mr. Rainsford.

4. I understand from Mr. Baillie, that the applications for Licences to cut Timber are attended to in the order in which they are received, and are numbered according to the time of their reception. This would seem to be the fairest mode of dealing with the cases which present themselves, and though it is alleged that many persons may apply and pay for a Licence to cut upon the same Berth, I am told that some confusion in these matters can scarcely be avoided, owing to the imperfect manner in which the Land sought for is frequently described in the application to the Surveyor's Office, and that whenever such is found to be the case, the greatest part of the fees paid is invariably returned, and only a small sum of 5*s.* retained in particular instances, which to prevent frivolous applications, it may not altogether be improper to exact.

5. It seems that the practice of the Department is, that parties applying for a Licence pay for so many Tons ; and that having cut so many, they are compelled to apply for a new Licence, or are liable to heavy penalties. In this case the proceedings appear to have been very irregular. It is stated that one of the Deputies, instead of compelling the taking out of a new Licence, made a sort of arbitrary charge in the Spring for the supposed excess. In the same manner Mr. Ackerley's note book, referred to in Mr. Baillie's defence, gives a recommendation that one party detected in shipping more Timber than he had a Licence for, should be charged 6*s.* per ton, and another 3*s.* 6*d.* These charges may be, and probably are, below the amount which would be exacted by enforcement of the legal penalty, and can hardly be complained of as a grievance to the individual ; but the power thus exercised

cised by individual Officers of the Crown of imposing, at their own discretion, payments higher or lower in lieu of penalties, is open to obvious and grave objections. The proper remedy would seem to be the enactment of a Law, imposing such moderate penalties as might in all cases be strictly enforced.

### THE TOWN PLAT, FREDERICTON.

After a full consideration of the representations on this subject, I am of opinion that the proceeds of the sale of the Town Plat at Fredericton, would have been most properly applied in promoting the improvement of the Town, and that they should now be refunded, and so applied, together with any future proceeds still remaining unpaid.

The same principle is applicable to the appropriation<sup>1</sup> of the money arising from the sale of the Public Landing at Saint Andrews, where any portion of that ground may have been disposed of.

### QUIT RENTS.

The collection of these being suspended, it is only necessary to refer you, on this subject, to my Despatch, No. 12, of the 31st ultimo, in which it is stated, that unless the Assembly should be disposed to enter into some arrangement for a permanent Civil List, on the relinquishment by the Crown of the Quit Rents due throughout the Province, there will be no alternative except to resume their collection, which it is hoped may not be rendered necessary.

### DIVISION OF THE COUNCILS, AND COMPOSITION OF THE EXECUTIVE COUNCIL.

On the division and composition of the Councils, I shall merely state that I entirely approve the general principle on which the measure of separating the Councils was founded, and without further proof of practical inconvenience resulting in the particular instance than has yet been brought forward, that I think it far from expedient to disturb arrangements so recently adopted by His Majesty's Government.

### CROWN REVENUES.

The Instructions recently issued to you to furnish the House of Assembly with detailed accounts annually, of the Receipts and Expenditure of the Casual Revenue, will have done away with the principal cause of complaint on this point. The same measure will have removed one of the chief grievances alleged, respecting the management and salaries of the Crown Land Department, viz. : The want of responsibility on the part of the Chief Commissioner. The salary of the Commissioner is perhaps higher than it ought to be, having reference to the general scale of Salaries within the Province ; but there are peculiar circumstances in Mr. Baillie's case, which would render it scarcely just to reduce it during his tenure of the office.

Having thus noticed the chief matters of complaint brought forward by the Letter from Messrs. Simonds and Chandler, dated the 19th June, I shall now advert to the subjects of their subsequent Communications.

POST

### POST OFFICE DEPARTMENT.

The Post Master General of Quebec is expected in England, and it is intended to take advantage of his presence for the purpose of considering the management of the Post Office Department throughout the North American Colonies. At the same time will be taken into consideration the representation from Mr. Simonds and Mr. Chandler on the mode of accounting for and appropriating the funds arising from the Postage of Letters in New Brunswick.

### DIFFERENCES BETWEEN HIS MAJESTY'S CUSTOMS OFFICERS, AND THE OFFICERS OF THE PROVINCIAL LEGISLATURE.

The Lords Commissioners of the Treasury have been moved to call for a Report on this matter from the proper Officers.

### TEA TRADE.

His Majesty's Government can come to no decision on this subject, whilst the question of the East India Company's Trade is under discussion in Parliament. The application of the Province of New Brunswick will be borne in mind, together with others of a similar kind, which must be brought under consideration.

### OLD PARLIAMENTARY DUTIES.

The Duties referred to are those under the 6. G. 2, c. 13, 4. G. 3, c. 15, and 6. G. 3, c. 52. The Delegates state that it is not known to the Assembly by whom and to what purpose these Duties are applied, and further that the Assembly is convinced that they ought to be disposed of by itself.

In answer to these statements, I have to acquaint you that in pursuance of directions contained in the Statutes themselves, the Duties levied under them are remitted to the Exchequer in England, in aid of the expences incurred for the defence of the British Colonies in North America. They could not be left to the disposal of the Provincial Legislature, except in violation of the Acts of Parliament by which they are collected. It does not seem to me necessary to make any further remark on this subject.

### ROYAL INSTRUCTIONS AS TO DUTIES ON BRITISH MANUFACTURES.

There can be no doubt that the Royal Instructions, literally construed, prohibit the imposition of Duties on the Manufactures of this Kingdom, imported into the Province. On the other hand, it is not less clear that this Instruction has been so long and so continually disregarded, in practice, throughout the British Colonies, as to have become obsolete and of no real authority. The policy by which it was originally suggested, has been long since abandoned; and for more than half a century the only rule on the subject which has been steadily observed is, that no Duties shall be imposed by any Colonial Legislature on British Goods, which should de-  
 prive

prive them of the protection secured for them by Parliament by the various Revenue Acts which extend to the Colonies. I have pleasure therefore in complying with the wish of the Assembly—expressed through Messrs. Simonds and Chandler—that the Local Government may be relieved from any doubt as to its competency to assent to Acts imposing reasonable Duties on Goods of British Manufacture, such Duties being calculated for the mere purpose of raising a local Revenue, operating only as a Tax on the Consumer, and having no object in favor of rival Manufactures, Foreign or Domestic.

#### KING'S COLLEGE.

No Documents are attached to prove the unpopularity, or want of success of the Institution ; but I shall be ready to consider such modifications of the Charter, should they appear to be generally desired, as may render its provisions less exclusive, and leave the Professorships open to all denominations of Christians.

I have the honor to be,

Sir,

Your most obedient humble Servant,

(Signed)

E. G. STANLEY.

P. S. As I have found it the most convenient course to cause a statement for the Delegates to be drawn up in terms precisely corresponding with the terms of those parts of the present Despatch, in which the subjects of each alleged Grievance are enumerated, and the decision on each signified, it is no longer necessary that I should inclose a copy of the statement, as I intended when originally I wrote this Despatch.

I.

*London, 16 Norfolk Street, Strand, June 19th, 1833.*

SIR,

In bringing under your notice, for the consideration of His Majesty, the evils now unhappily existing in New Brunswick, and which have given rise to the Petition of the House of Assembly to His Majesty, with a view to redress ; we propose, in the first instance, to confine ourselves to a few of the most prominent causes of those evils, in the expectation that if His Majesty shall be inclined to accede to the reasonable proposals and suggestions which we have to urge on behalf of the Assembly, for their removal, we shall not find it necessary to enter into the discussion of many minor points in the Petition, and thus avoid the necessity of trespassing much on your valuable time, now so fully employed on other matters of high importance.

We beg leave to observe, that we are instructed to call the attention of His Majesty's Government to the present system of management of the Crown Land Department in New Brunswick. It has long been a matter of public notoriety, that the expenses of this Department are far greater than they ought to be. The Assembly

sembly have, therefore, for several years past, turned their anxious attention to this subject, and by all constitutional means have endeavored to effect some change, but hitherto without avail: their many addresses to the Executive Government for accounts in detail of the receipts and expenditure of the Revenues, arising from the operations of this Department, have been rejected; and in a recent instance have been denied to the Assembly, in direct opposition, as the House of Assembly conceive, to the commands of your predecessor in Office. Thus the House of Assembly, though fully impressed with the opinion that great defects and abuses exist in the management of this Department, and in the collection and expenditure of the Crown Revenues, are not enabled to point them out or to suggest a remedy. The House of Assembly have always been of the opinion, and contended that they have a constitutional right to call for the fullest account of the receipts and expenditure of these Revenues—an opinion which has been fully confirmed by your predecessor the Right Honorable Lord Viscount Goderich, in a communication to the Government of Upper Canada on a similar subject, as well as by the Despatch of the 2nd January last to Sir Archibald Campbell.

These Revenues, in New Brunswick, have now assumed a character of high importance, as, under the present system of management, they have the effect of increasing, far beyond the permanent resources of the Colony, the annual charges of the Civil List. Salaries are allowed to Public Officers far beyond a just and reasonable compensation for services performed,—unnecessary offices are created, and the expenses of collecting swelled to an amount beyond all reasonable bounds! These the Assembly conceive are very serious evils, even supposing that these Revenues should continue for a great length of time as productive as they now are, but it is clear that this cannot long be the case; a few years must exhaust the source from whence they are now principally derived; and the Parent State, or the Colony, will be burthened with an unnecessarily expensive Civil List, created by the present very defective system.

The management of the Crown Land Department has, in other respects, lately become exceedingly obnoxious: the Commissioner, in the opinion of the Assembly, has assumed, or at least exercised, powers which ought never to be vested in any subject, and many instances have recently occurred of their abuse, calculated at once to excite the alarm and dissatisfaction of the country; we allude particularly to the intention and attempts of the Commissioner to sell the Water Privileges of those persons whose Grants are bounded on Rivers, or the Sea shores, and to misapply the money arising from the sale of the Town Common in Fredericton.

The injustice and impolicy of granting exclusive reserves to individuals, which forms another feature in the management of the Crown Land Department, we trust will be so apparent to His Majesty's Government, that any further comment from us on the subject will be unnecessary.

The second point to which we would call the attention of His Majesty's Government is the recent determination to collect the Quit Rents, reserved in the Grants of Land made in the Province. These Rents, though trifling in amount, are, if enforced, of a nature exceedingly obnoxious to the people, who never, until lately, had the  
most



most distant idea that they would have ever been exacted—the reservation being considered as a mere acknowledgement of His Majesty's Sovereignty in the Lands granted; and this opinion was strongly confirmed by the circumstance of the claim being suffered to remain so long dormant, and that in all transfers of lands between individuals, the Quit Rents, reserved in the original Grants, have never been considered and provided against as an incumbrance or claim on the land. But independent of the confusion and litigation which their collection will now produce, the exaction operates with peculiar hardship on the poor and remote Settlers, on whom the greater part will fall, many of whom have not the means of procuring money to make the payment, small as they individually are; added to this, the loss of time and expence incurred in travelling to the place appointed to receive these Rents, render the exaction extremely burthensome and obnoxious. But when, in addition to these objections, it is considered that a great proportion of the amount which could in any event be enforced must be expended in the collection, the claim becomes an object of trifling importance to His Majesty, when compared to the inconvenience and consequences which must result from the exaction.

But as the House of Assembly have offered and are prepared to make a competent and permanent provision for the payment of the Civil List of the Province, on receiving the control of those and all other sources of Revenue, which His Majesty may have in the Province, any necessity there may have been for recourse to this obnoxious demand, they humbly conceive can no longer exist.

The third point to which we wish to call the attention of His Majesty's Government, is the recent change in the constitution of the Province, by the formation of an Executive Council, distinct from the Council which had existed since the first organization of the Colony. The House of Assembly conceive, if no other objection had presented itself to this important measure, the circumstance of its having been advised, determined upon, and carried into execution, without the knowledge, advise, or consent of the late Council, or the concurrence of the Legislature, forms, it is conceived, an exceeding strong ground of dissatisfaction and complaint; and without at present entering into the question how far the established Constitution of a Colony should or can be changed, altered, or modified by His Majesty's Government, without the concurrence of the Legislature, yet the Assembly conceive it must be apparent, and will readily be acknowledged, that in any Country or Colony governed by British Laws and principles, the advisers of the Executive Government should be persons of competent knowledge of the interests of the Country, and of such standing and influence as will inspire and preserve public confidence, without which it is impossible the public business can be conducted with either satisfaction to His Majesty or benefit to the Province.

The principal objects which we have at present, therefore, to urge on His Majesty's Government are—

*First.*—The proposal of the Assembly to make permanent provision for the payment of the Civil List of the Province as now established (with a few exceptions as to object or amount), on the condition that all His Majesty's Casual and Territorial Revenues be surrendered to, and placed under the control of the Legislature.

*Secondly.*

*Secondly.*—The consideration by His Majesty's Government of the late alteration in the constitution of the Province.

We have the honor to be,

Sir,

with the greatest respect,

Your most obedient, humble Servants,  
(Signed) **CHARLES SIMONDS,**  
**EDWARD B. CHANDLER.**

To the Right Honorable E. G. STANLEY,  
&c. &c. &c.

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2.

[*Post Office.*]

16, *Norfolk-street, Strand, June 27, 1833.*

SIR,

We are directed by the House of Assembly to state to His Majesty's Government, that it would afford great satisfaction to His Majesty's Loyal Subjects in New Brunswick, if instructions were given to the Deputy Post Masters in the Province, to lay annually before the Legislature, accounts of postage collected in the Province, and the charges on the same; and that the surplus of such postage, after providing for the several Mail routes now established, may be applied to the payment of Couriers in other parts of the Province, who are now provided for by votes of the Legislature, and that any balance, after providing for such necessary objects, may be placed at the disposal of the Legislature, for the purpose of improving the several Post communications.

We humbly submit the foregoing in full confidence that His Majesty's Government will at once admit, that all net revenues arising from the Postage of Letters within the Province, should be expended therein, and that they ought to be under the control of the Colonial Legislature.

And are, &c.

(Signed)

**CHARLES SIMONDS,**  
**EDWARD B. CHANDLER.**

To the Right Honorable E. G. STANLEY,  
&c. &c. &c.

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3.

[*Collision with Custom House and Provincial Revenue Officers.*]

16 *Norfolk-street, Strand, June 1833.*

SIR,

We beg leave to call the attention of His Majesty's Government to the unpleasant collisions which take place in New Brunswick between the Officers of His Majesty's Customs and the Provincial Revenue Officers. The Act of the Imperial Parliament

Parliament 6 G. 4 C. 114, for regulating the Trade of His Majesty's Possessions abroad, provide that the proceeds of all Seizures made by the Officers of Customs are to be distributed, one third to the Seizing Officer, one third to the Collector, and the other third to the Lieutenant Governor or Person administering the Government of the Colony. The Revenue Laws of the Province provide, that the proceeds of Seizures be distributed, one half to the Officer making the Seizure, and the other half paid into the Treasury for the use of the Province, consequently the distribution of the proceeds of Seizures are, under the Provincial Revenue Laws, more beneficial to His Majesty than under the Acts of the Imperial Parliament. The Revenue Laws of the Province provide also that when any Articles seized, condemned, and sold for a breach of those Laws, are also liable to Duties under the Acts of the Imperial Parliament, then and in such case the amount of such Parliamentary Duty shall be first paid over to the Collector of His Majesty's Customs, and the residue only of the proceeds of such sale distributed as aforesaid.

Notwithstanding this last mentioned provision of the Provincial Revenue Laws, which was inserted for the express purpose of preventing any evasion of the Acts of the Imperial Parliament, we regret to say that collisions take place; instances occur of Seizures by the Officers of His Majesty's Customs of Articles which had been previously seized by the Provincial Revenue Officers, and condemned and sold by them, immediately after such sale.

Unless a remedy be applied to proceedings of this nature, it is obvious that the Provincial Revenue Laws for the prevention of smuggling must, so far as they apply to articles which are liable to Parliamentary duties, be nugatory, as this interference of the Custom House Officers effectually destroys all inducement to the Provincial Officers to be vigilant in the detection of the smuggler.

The evils, therefore, of this interference of the Custom House Officers are so injurious and apparent, and appear to require so prompt a remedy, that we trust any further comment from us will be unnecessary. An instruction to the Officers of His Majesty's Customs of New Brunswick, not to interfere with seizures made by Officers of the Provincial Revenue, would effectually put an end to them.

We have, &c.

(Signed)

CHARLES SIMONDS,  
EDWARD B. CHANDLER.

To the Right Honorable E. G. STANLEY,  
&c. &c. &c.

4.

[*Duty on Tea.*]

London, 27th June, 1833.

SIR,

The recent alterations which have been made by the Congress of the United States on the Import Duties of that Country, particularly on Teas, will materially affect the Trade in this Article with His Majesty's Northern Colonies.

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It is obvious that the cheap rate at which Teas can now be purchased in the American Market, when compared with the prices at which they are furnished by the East India Company in Canada and Nova Scotia, with the great facilities there are for smuggling the article into all the Northern Provinces from the United States, must immediately give rise to an extensive illicit trade.

In order to remedy this serious mischief, We are directed by the House of Assembly of New Brunswick, to suggest the propriety and necessity of admitting the importation of Teas into all the Northern Colonies from the United States, on the payment of an *ad valorem* Duty; this would produce considerable Revenue without being felt as an onerous tax, and at the same time prevent the introduction and practice of a Contraband Trade.

We would beg leave to suggest that the imposition of a duty, equal to three pence per pound, on all the inferior description of Teas, and in proportion for the higher qualities, imported from the United States into the Colonies, while it would operate as a sufficient protection in favor of the East India or British Trade in this article, at the same time would materially lessen the inducement for and practice of illegal traffic therein.

And are, &c.

(Signed)

CHARLES SIMONDS,  
EDWARD B. CHANDLER.

To the Right Honorable E. G. STANLEY,  
&c. &c. &c.

5.

[*Duties on Wine, Molasses, &c.*]

16 Norfolk Street, Strand, June 27th, 1833.

SIR,

Duties are annually collected at the several Custom Houses in New Brunswick on Wine, Molasses, Coffee, and Pimento, under the provisions of the Acts of Parliament of 6 G. 2, c. 13, 4 G. 3, c. 15, and 6 G. 3, c. 52, amounting, it is believed, to upwards of One thousand Pounds sterling, which are not accounted for to the Legislature, and it is not known to the House of Assembly by whom and to what purpose these Duties are applied. The House of Assembly have charged us to bring this subject under the consideration of His Majesty's Government, as they conceive that upon Constitutional principles, they have the undoubted right to the disposal of these Duties, in the same manner as they have of the Duties imposed by the Act of the Imperial Parliament 6 G. 4, c. 114—provision having been made by the House of Assembly for the payment of the Custom House Establishment in the Province.

And are, &c.

(Signed)

CHARLES SIMONDS,  
EDWARD B. CHANDLER.

To the Right Honorable E. G. STANLEY,  
&c. &c. &c.

6.

## 6.

[*Duty on British Manufactures.*]

London, 27th June, 1833.

SIR,

Among the subjects that we are directed by the House of Assembly of New Brunswick to bring under the notice of His Majesty's Government, is that part of the Royal Instructions relating to the imposition of Duties on Goods of British Manufacture.

During the last Session of the Legislature, the House of Assembly had it in contemplation, for the mere purposes of Revenue, to impose a small *ad valorem* Duty on Goods of British Manufacture imported into the Province, but on reference to the Royal Instructions which accompanied the first Constitution of the Province, doubts were suggested as to the construction which they might bear on this subject.

The House of Assembly conceive that the only object of the Royal Instruction in this particular, was the protection of the Trade and Manufactures of the Mother Country, and not with any view to prevent the imposition by the Colonial Legislature of reasonable Duties on Articles of British Manufacture, for the mere purpose of local Revenue, operating only as a Tax on the Consumer, and having no object or influence in favor of foreign, rival, or even domestic Manufactures. They are confirmed in this view of the subject by a reference to the Revenue Acts of Canada and Nova Scotia, which contain imposts of the nature now alluded to, and which have always received the sanction of Government.

If the view taken by the Assembly of New Brunswick should be confirmed by His Majesty's Government, We have to urge that the same may be expressed to the local Executive Government, in order that the different branches of the Legislature may be relieved from any doubts or embarrassment, in regard to the Royal Instructions on this subject.

And are, &amp;c.

(Signed)

CHARLES SIMONDS,  
EDWARD B. CHANDLER.To the Right Honorable E. G. STANLEY,  
&c. &c. &c.

## 7.

[*King's College.*]

16 Norfolk-street, Strand, June 1833.

SIR,

We the undersigned beg leave to state that we are instructed by the House of Assembly of New Brunswick to bring under the consider of His Majesty the present state of King's College at Fredericton, and to urge that such alterations may be made in the Charter as will make this Institution more generally useful, and in accordance with the wishes of the people.

The principle cause of the present unpopularity of this College, is the partial nature

ture of its constitution, arising out of certain provisions of the Charter, whereby the Bishop of Nova Scotia is *ex officio* Visitor, the Archdeacon of New Brunswick President, and the Members of the College Council, and the Professors, must subscribe to the thirty-nine articles of the Church of England, and further, the Professors shall be Members of the Council as they may be appointed by displacing some other Member. Thus when the Charter is carried into full effect the whole Council will be composed of Professors all of the established Church having the entire management of the Institution and the control of its funds, the regulation of their own Salaries, and all other contingent expenses; this will tend to keep alive that jealousy which now unhappily exists with regard to this College among a great majority of the Inhabitants of the Province who are not of the established Church, and who naturally think that as they contribute to its support, they ought freely to participate in its benefits.

We are therefore instructed to pray, that His Majesty would be graciously pleased to recommend to the Chancellor, and the College Council, to surrender their present Charter, and that His Majesty would be pleased to grant a new one, more suitable to the present state of the Province, by introducing into such new Charter the following provisions, in lieu of the objectionable ones in the present Charter.

First, That the Chief Justice be perpetual *ex officio* Visitor.

Secondly, That the President of the College, the Archdeacon, the Speaker of the House of Assembly, the Provincial Secretary, and the Attorney General, be *ex officio* Members of the Council, and that seven other Members be nominated by the Chancellor, five of whom shall not be otherwise officially connected with the College; that these seven Members hold their seats during good behaviour, and that any of them shall vacate his seat who shall be absent from the Meetings of the Council, for twelve months together.

Thirdly, That religious tests be not required of any Members of the Council or University, except that the President and Professors of Divinity, previously to their admission to their offices, shall subscribe a solemn declaration of their belief in the Divine authority of the Christian Religion, and that Candidates for degrees in Divinity shall make the same declaration; that public worship in the Chapel be conformable to the Liturgy of the established Church of England, but that students be expressly permitted to attend any place of Worship in Fredericton which their principles may require.

Fourthly, That the resident head of the College be President, and that the President and Professors to be hereafter appointed, be nominated by the Chancellor by the advice and with the consent of the Council, to hold their offices during good behaviour.

Fifthly, That any Register to be hereafter appointed be a graduate of some regularly constituted University and resident in Fredericton.

Sixthly, That the salaries of the several Officers of the College, as established by the Council, together with an allowance for contingencies not exceeding £        per annum, be payable out of a permanent fund of £        per annum, to be provided by the Legislature in lieu of the present endowment; that any surplus revenue be applicable

plicable to the founding of free scholarships to be awarded to the best scholars. That no other appropriation of any funds be made without the express sanction of the Legislature previously obtained, and that the Register's annual statement of the account duly audited by the Council, be annually laid before the House of Assembly.

We submit the foregoing for the consideration of His Majesty's Government.

And are, &c.  
(Signed)

CHARLES SIMONDS,  
EDWARD B. CHANDLER,

To the Right Honorable E. G. STANLEY,  
&c. &c. &c.

### New Brunswick.

[L. S.]

*House of Assembly, Thursday, 14th March, 1833.*

Mr. Kinnear, from the Committee appointed to prepare an Address to His Majesty on the subject of the state and affairs of King's College at Fredericton, in New Brunswick, Reported, that having had the subject under consideration, he was directed to submit the following report, viz :

Your Committee, after the most careful deliberation, are of opinion that one of the principal objections to that Institution, the large annual grant, arises out of what has been considered a permanent Law of the Province, which can only therefore be remedied by the General Assembly. That there are alterations required in the Royal Charter to render it more beneficial to the Province, but your Committee think these can be more usefully made by the Assembly with His Majesty's approval, at its next Session, at which time it is hoped the Deputation will have returned to the Country possessed with His Majesty's views on the subject, and having such information as the Royal Revenues as will enable the House finally to arrange the whole affairs of the College.

Your Committee also beg leave to recommend that the House should direct the Deputation to confer with His Majesty's Government fully on the subject of this Institution.

All which they respectfully submit, and pray to be discharged.

(Signed)

WILLIAM B. KINNEAR,  
Chairman.

I certify this to be a true Extract from the Journals.

(Signed)

CHARLES P. WETMORE,  
Clerk of Assembly.

## I N D E X

40 GULIELMI IV. FIFTH SESSION OF THE TENTH GENERAL ASSEMBLY. A. D. 1834.

**A** BRAMS, WILLIAM. Petition as Commissioner of Buoys and Beacons, received, 224.

Addison, Thomas. Petition, received, 227.

*Addresses.* To the King :

- 1. On the relative rank of the President and Members of the Legislative and Executive Councils, 276, 284, 286, 289.
- To the King and Imperial Parliament :
- 2. Joint with the Assembly, on the protecting duties on the Colonial Wood Trade, 257, 261, 272, 277, 278.
- To the Commander in Chief :
- 3. In answer to his Speech on opening the Session, 207, *ib.* 208, 210. Answer to Address, 210.
- 4. Praying that he will direct the Treasurer's Accounts to be laid before the House, 263. Answer, 265, *ib.*

*Aliens.* Copy of Despatch from Colonial Office relative to Joint Address of the Council and House of Assembly respecting the naturalization of Aliens, 214.

- 2. Petition of the Chamber of Commerce in Saint John, for the adoption of some public measure to induce His Majesty's Government to concede to Foreigners here all privileges enjoyed by them in the United Kingdom, received, 237.

*Alms House and Work House.* Bill to repeal the York County Alms House and Work House Act, so far as relates to the Parish of Queensbury, 238, 243, 244, 249.

Anstley, Daniel and others. Petition from them as Manufacturers of Leather, received, 227.

*Appropriation of the Public Revenue.* Resolutions sent up by the Assembly, dated 26th February, 248, 266, 267 ; 27th February, 248, 266, 268, 270 ; 29th February, 248, 266, 268, 270 ; 1st March, 254, 266, 271 ; 8th March, 268, 266, 271 ; 14th March, 276, 278, 284.

- 2. Resolutions not agreed to, 268, *ib.* 270, 271, 278
- 3. Resolution of Council, on agreeing to Appropriations from the Emigrant Fund, 271.
- 4. Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province, 284, 286, 289. *Passed.*
- 5. Bill to appropriate a part of the Public Revenue to the payment of the ordinary services of the Province, 284, 285, 289. *Passed.*

*Appropriation of the Public Revenue, continued :*

- 6. Bill to appropriate a part of the Public Revenue for the services therein mentioned, 285, 286, 289. *Passed.*

*Assessments.* Bill to amend the Act of 8 W. 4, c. 26, continuing and amending 1 W. 4, c. 26, for regulating Assessments, 229, *ib.* 234, 240.

- 2. Bill to amend the law relating to Assessments in this Province, 254, 258, 260, 291. *Passed.*
- 3. Bill to authorize the Justices of the several Counties to assess for the payment of County Officers, and to authorize the Justices of Northumberland to make further provision for the payment of the Treasurer of that County, 289, 242, 245, 247, 290. *Passed.*
- 4. Petition of the Justices of the County of Kent for an Act to authorize them to assess the County, received, 212.
- 5. Bill to authorize the Justices of the County of Kent to assess the County to discharge Debts, 211, 217, 223, 233, 239. *Passed.*
- 6. Petition for an Act to assess the County of Charlotte on account of the Gaol, received, 227.
- 7. Bill to authorize the Justices of the County of Charlotte to levy an assessment to pay off Debt on County Gaol and the contingent expenses of the County, 218, 223, 231.
- 8. Bill to authorize the Justices of Charlotte County to levy an assessment towards paying off the County debt, and for other purposes therein mentioned, 245, 247, 254, 290. *Passed.*
- 9. Bill to authorize the Justices of the Peace for the County of Charlotte to levy an assessment on a part of the Inhabitants of the Parish of St. Stephen for the purpose of purchasing a Fire Engine, and for other purposes, 246, 247.
- 10. Bill to authorize the Justices of the Peace in the County of Westmorland to levy an assessment upon the Inhabitants of said County, to discharge the debts due from the said County, 236, 240, 242, 290. *Passed.*
- 11. Petition from the Justices of the City and County of St. John for an Act to assess the Inhabitants, received, 212.
- 12. Bill to authorize the Justices of the General Sessions of the Peace for the City and County of Saint John to levy an assessment to enable them to pay off the County debt, 243, 247, 259, 263, 291. *Passed.*
- 13. Petition of Inhabitants of Newcastle, Chatham,



*Assessments, continued :*

Nelson, Northesk, Glenelg, Alnwick, Blackville, Blissfield, and Ludlow, against any Act authorizing an assessment for a Lock-up-House in the Parish of Chatham, 238.

**BAKERS.** Petition from Bakers in St. John, to impose a duty on Ship Bread, received, 223.

**Banks.** Petition of J. M. Wilmot, Esquire, and others resident in St. John, praying for an Act of Incorporation of a New Bank, received, 221.

—2. Petition of Inhabitants of Fredericton and vicinity for the like purpose, received, 222.

—3. Petition of Inhabitants of Sunbury for the like purpose, received, 223.

—4. Petition of Inhabitants of Carleton for the like purpose, received, 223.

—5. Petition of Inhabitants of Charlotte County for the like purpose, received, 225.

—6. Petition of the President, Directors and Company of the Bank of New Brunswick, received, 226.

—7. Petition of E. Barlow, and others, for an extension of the Capital Stock of the Bank of New Brunswick, received, 226.

—8. Petition from sundry Inhabitants of Westmorland, praying for an Act for the Incorporation of a Bank, received, 228.

—9. Petition of the Trustees of the Savings Bank in St. John, received, 236.

—10. Bill to incorporate sundry persons by the name of the President, Directors and Company of the Commercial Bank of New Brunswick, 245, 249, 250, 254, 260, 262.

—11. Petition from J. Taylor and others, for a Charter for the Incorporation of a new Bank, received, 265.

—12. Bill to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick, 267, *ib.* 275, 277, 283, 291. *Passed.*

—13. Appointment of Joint Committee of Council and Assembly to inspect the proceedings and Vaults of the Corporation of the Bank of New Brunswick, 288.

—14. Appointment of Joint Committee of Council and Assembly to inspect the proceedings and Vaults of the Corporation of the Charlotte County Bank, 289, *ib.*

**Beacons.** Petition from James Chaffey and others for exemption of Vessels from payment of Beacon Money at St. Andrews in certain cases, received, 214.

**Bills.** Amendments made by the Council to Bills sent up by the Assembly, 231, 233, 240, 241, 255, 258, 260, 261, 262, *ib.* 275, 277.

—2. Assented to by the Commander in Chief, 239.

—3. Passed upon Divisions, 232, 234, 235, 238, 276

—4. Negatived upon Division, 248.

—5. Originating in the Council and passed: See *Courts*, 2; *Lunatics*.

—6. Sent up by the Assembly and passed. See *Appropriation of the Public Revenue*, 4, 5, 6; *Assessments*, 2, 3, 5, 8, 10, 12; *Banks*, 12; *Booms*, 1, 4, 5; *County Officers*; *County Lanes*, 2; *County*

*Bills, continued :*

*Records*; *Courts*, 3, 4, 5; *Criminal Justice*, 1, 2; *Cruelty*; *Debtors*; *Deserters*; *Elections*; *Emigration*; *Fences with Gates*, 2; *Fires*; *Fisheries*, 2, 3, 5; *Forgery*; *Infectious Distempers*, 2; *Marriage*; *Nightly Watch*; *Parishes*, 3; *Patents*; *Pedlars*; *Population*; *Real Estates*; *Representation*; *Replevin*; *Revenue*, 5; *Saint John Mills and Canal Company*, 2; *Saint John Water Company*; *Seamen, sick and disabled*; *Sewers*; *Treasury*.

—7. Sent up by the Assembly and not passed. See *Alms House and Work House*; *Assessments*, 1, 7, 9; *Banks*, 10; *Booms*, 2; *County Accounts*, 2; *Criminal Justice*, 3; *Dogs*; *Fences with Gates*, 1; *Horse Racing*; *Lands for public uses*; *Militia*, 3, 4, 5; *Parishes*, 1, 2; *Passamaquoddy Bay*.

**Booms.** Bill to provide for the establishing and maintaining of Booms for securing Lumber in the County of Gloucester, 212, 217, 223, 226, 234, 239. *Passed.*

—2. Bill to provide for the regulation of a Boom or Booms for securing Lumber &c. in the Meduxnakik River, 217, *ib.* 223, 226.

—3. Petition of Charles Peiley, and others, for an Act to provide for the regulation of a Boom on the Meduxnakik, received, 221.

—4. Bill to continue the Act of 4 G. 4, c. 21, for the regulation of Booms in the County of Northumberland, 228, 231, 233, 239. *Passed.*

—5. Bill to continue the Act of 2 W. 4, c. 5, to empower the owners of the Saw Mill at the Rolling Dam, on the River Digdeguash, to erect a Boom for securing Saw Logs on said River, 230, *ib.* 231, 233, 290. *Passed.*

**Botsford, Amos Edwin, Esquire.** The President acquaints the House that A. E. Botsford, Esquire, is appointed a Member, and desires to be admitted, 206. Committee appointed to see Mr. Botsford qualified, *ib.* Report, 207. Mr. Botsford introduced, *ib.*

**British Goods.** Petition from J. Ward, and others, against the imposition of duty on British Goods, received, 236.

**Brockway, Reuben.** Petition, received, 273.

**Brown, Mary E.** Petition, received, 232.

**Buoys and Beacons.** Petition for a grant to erect a Beacon on Point Escuminac, received, 224.

—2. Petition from J. Raif, and others, against any alteration of the law respecting Buoys and Beacons within the Inner Bay of Passamaquoddy, received, 241.

**Burnett, Thomas.** Petition, received, 236.

**CANALS.** See *Saint John Mills and Canal Company*.

**Carter, James.** Petition, received, 241.

**Carvel, Jacob.** Petition, received, 224.

*Casual Revenue.* Messages from the Commander in Chief with statement of terms on which His Majesty would be advised to place the proceeds of the Casual and Territorial Revenue under the control of the Legislature, 218, 255.

*Chandler, Edward B. Esquire.* Petition, received, 229.

*Chatham.* See *Assessments*, No. 13.

*Clopper, Henry G.* Petition, received, 235.

*Commander in Chief.* His Speech on opening the Session, 204. His answer to address in answer to his Speech, 210. Gives his assent to Bills, 289. His Speech at the closing of the Session, 292.

Messages from him :

- 1. With Despatch from the Secretary of State in answer to address of the Council, respecting the rank of the Executive and Legislative Councils, 210.
- 2. With Circular from the Colonial Office, relative to the future issue of Government paper or securities, 213.
- 3. With Copies of two Despatches from the Colonial Office, respecting the Naturalization of Aliens, and in answer to the Petition of the Legislative Council and House of Assembly on Timber Duties, 214.
- 4. With Extract of a Despatch from the Colonial Secretary, relating to the Militia of the Province, 215.
- 5. Informing the Council, that he has renewed the recommendation to the Assembly to put the two Branches of the Legislature on an equal footing as to compensation for services for public duty, 216.
- 6. Recommending provision to be made for the erection of secure and suitable buildings for the Offices of the Registers of Deeds and Wills, 216.
- 7. With statement of terms on which His Majesty would be advised to place the proceeds of the Casual and Territorial Revenue under the control of Legislature, 218.
- 8. With a copy of a Despatch on the subject of the Quit Rents, 220.
- 9. With sundry documents on the subject of Water Lots, 221. Appendix, 293.
- 10. With sundry documents on the subject of Representations conveyed to His Majesty's Government by a Deputation from the Assembly of the Province, 222. Appendix, 299.
- 11. With copy of a Despatch on the subject of the Act extending the privilege of solemnizing Marriage to Ministers of certain religious congregations in this Province, 251.
- 12. With an Extract of a Despatch relating to the proposed surrender of the proceeds of the Casual Revenue, 255.
- 13. In answer to address praying to have the Treasurer's accounts laid before the House, 265.
- 14. With a communication from the Province Treasurer accompanied by certain accounts, 277.

*Council.* Present their address to the Commander in Chief in answer to his Speech, 210.

- 2. Notice of motion for opening the Doors of the Council Chamber, 248. Motion submitted, 254. Taken into consideration and negatived, 256.

*Council*, continued :

- 3. Resolution (moved and negatived) that the same publicity be given to debates and proceedings as is sanctioned by the House of Lords, and that a Reporter be admitted to hear and report accordingly, 267.
- 4. See *Addresses*, No. 1. *Commander in Chief*, Messages, No. 1 and 5.

*Council Chamber.* Notice of a motion to address the Lt. Governor to obtain more convenient accommodation for the Legislative Council, 256.

*County Accounts.* Petition of sundry Inhabitants of the County of York for an Act to authorize Grand Jurors to investigate the County Accounts, received, 223.

- 2. Bill to authorize the Grand Jurors of the several Counties to inspect the Public Accounts, and to inquire into the nature of the public charges against the said Counties, 230, *ib.* 234, 238.

*County Officers.* Bill to authorize the Justices of the several Counties, to assess for the payment of County Officers, and to authorize the Justices of Northumberland to make further provision for the payment of the Treasurer of that County, 239, 242, 245, 247, 290. *Passed.*

*County Lines.* Petition of D. Phillips and others, relative to division line between the Counties of York and Carleton, received, 232.

- 2. Bill to alter the division line between the Counties of York and Carleton, 250, 256, 291. *Passed.*

*County Records.* Bill to provide for the safe keeping of County Records, 245, 248, 253, 291. *Passed.*

- 2. See *Commander in Chief*, Messages, No. 6.

*Courts.* Petition of the Justices of Carleton to alter the times of holding the Courts of General Sessions of the Peace and Inferior Court of Common Pleas in that County, received, 221.

- 2. Bill for the further regulation of the formation of the Court of Governor and Council, for the determination of all suits and controversies touching and concerning Marriage and Divorce, 235, 239, 241, 245, 258, 291. *Passed.*
- 3. Bill to establish and regulate a summary practice in the Supreme Court, 262, 264, 277, 291. *Passed.*
- 4. Bill to facilitate summary proceedings before Justices of the Peace, and the execution of Warrants by Constables, 229, *ib.* 239, 241, 245, 290. *Passed.*
- 5. Bill to regulate proceedings before Justices of the Peace in Civil Suits, 270, *ib.* 278, 279, 291. *Passed.*

*Criminal Justice.* Bill for further improving the administration of Justice in Criminal cases, 245, 247, 254, 256, 291. *Passed.*

- 2. Bill more effectually to punish the crime of Forgery, 243, 247, 251, 253, 290. *Passed.*
- 3. Bill to provide for the summary punishment of malicious injuries to certain personal property, 257, 261, 264.

- Crookshank and Walker.* Petition, received, 212.
- Cruelty.* Bill to provide for the punishment of cruelty to animals, 223, 234, 239, 242, 290. *Passed.*
- DAYTON, CATHERINE.** Petition, received, 232.
- Debtors.* Bill in addition to and in amendment of the Act of the Act of 26 G. 3, c. 13, for relief against absconding Debtors, 222, 225, 244, 258, 266, 291. *Passed.*
- 2. Bill to continue the Acts in force for the relief of insolvent confined Debtors, 243, 250, 264, 266, 291. *Passed.*
- Deputation from Assembly.* Message from the Commander in Chief with sundry Documents relative to the representations made to His Majesty's Government by a Deputation from the Assembly, 222. Appendix, 299.
- Deserters.* Bill to prevent Desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters, 236, 243, 244, 290. *Passed.*
- Doak, Robert.* Petition, received, 224.
- Dogget, Nathaniel and John.* Petition, received, 223.
- Dogs.* Bill to lay a Tax on Dogs in certain parts of the Parishes of Newcastle and Chatham, 223, 291, 233.
- Drawbacks.* Petition of Major Greaves on behalf of the Offices of the 34th Regiment, received, 243.
- ELECTIONS.** Bill to increase the representation of the Counties of Carleton, Gloucester and Kent, 259, 260, 263, 291. *Passed.*
- Emigrants.* Petitions for reimbursement for relieving: received:  
Justices of the City and County of St. John, 212, 227.  
Commissioners of the Poor in St. Andrews, 223
- 2. Accounts of the Overseers of the Poor of the City of St. John and Parish of Portland of expenses incurred in supporting sick and distressed Emigrants, laid before the House, 270.
- 3. Resolution of Council on agreeing to Resolutions of Appropriation from the Emigrant Fund, 271.
- Emigration.* Bill in furtherance of, and to regulate, Juvenile Emigration from Great Britain to this Province, 253, 261, 263, 264, 266, 291. *Passed.*
- Esson, Francis.* Petition, received, 238.
- FENCES WITH GATES.** Bill to provide for the erection of Fences and Gates across Highways, 224, 225, 226.
- 2. Bill to continue the Acts of 30 G. 3, c. 31, and 3 G. 4, c. 7, providing for the erection of Fences with Gates across Highways leading through intervale lands in Queen's and the County of Sunbury, and to extend the provisions of the same to King's County, 243, 243, 253, 290. *Passed.*
- Fires.* Bill to continue the Act of 9 G. 4, c. 23, for *Fires*, continued:  
the appointment of Firewards and extinguishing of Fires in Saint Andrews, 230, 231, 233, 290. *Passed.*
- Fisheries.* Petition of Fishermen residing in St. John, respecting the Fishery near Grand Manan, received, 223.
- 2. Bill to protect the Gaspereau Fishery in the Harbour and River of Miramichi, 229, *ib.* 231, 233, 290. *Passed.*
- 3. Bill to continue and amend the Acts of 8 G. 4, c. 11, and 1 W. 4, c. 8, relating to the Herring Fisheries in the County of Charlotte, 235, 240, 242, 290. *Passed.*
- 4. Petition of the Chamber of Commerce in St. John for relief from duty on articles necessary for the South Sea Whale Fishery, received, 236.
- 5. Bill to continue the laws relating to the Fisheries in the County of Northumberland, 239, 242, 249, 250, 256, 261, 291. *Passed.*
- Fitzgerald, Ezekiel.* Petition, received, 237.
- Flanagan, Patrick.* Petition received, 224.
- Flinn, John.* Petition, received, 270.
- Flour.* Petition of J. Kirk and others, for relief from the duty on Flour, received, 236.
- Forgery.* Bill more effectually to punish the crime of Forgery, 243, 247, 251, 253, 290. *Passed.*
- GENERAL ASSEMBLY.** Convened, 203. Prorogued, 292.
- Gilchrist, Samuel.* Petition, received, 246.
- Government Securities.* Circular from Colonial Office relative to the future issue of, 213.
- Grain Bounties.* Petition from Clerk of the County of Westmorland for omitted Grain Bounty claims in 1832, received, 229.
- Grant John.* Petition, received, 229.
- Greaves, Major Richard.* Petition on behalf of Officers of 34th Regiment, for Drawback on dutiable articles, received, 243.
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- Infectious Distempers.* Petitions of the Justices of the City and County of St. John for a sum of money to enable them to pay debts due by the Board of Health in Portland, received, 212.
- 2. Bill to explain the Act of 3 W. 4, c. 21, for preventing the Importation and spreading of Infectious Distempers in the City of Saint John, 229, *ib.* 231, 233, 290. *Passed.*
- Jordan, John and others.* Petition, received, 237.
- Journals.* Ordered to be printed daily, and one hundred and fifty copies furnished, 207.
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- Justices of the County of Charlotte.* Petition for aid to pay off Debt on the new Gaol, received, 225.
- King's College.* Petition of the Chancellor, President and Scholars of King's College, for leave to lease certain lands, received, 228.
- Lands for Public Uses.* Bill to authorize the Justices of Charlotte County to lease a part of the public landing at Salt Water in the Parish of St. Stephen, and to invest the proceeds in making improvements on the premises and for the support of the poor of said Parish, 239, 242, 245.
- 2. Petition of Inhabitants of St. Stephen to authorize the Magistrates to erect certain buildings on the public landing, received, 241.
- Leather.* Petition from D. Ansley, and others, Manufacturers of Leather, received, 227.
- Leavitt, William and others.* Petitions, received, 236, *ib.*
- Leslie Charles.* Petition, received, 225.
- Light Houses.* Petition of N. Merritt, and others, for a Light, Buoy or other mark on Quaco Ledge, received, 230.
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- Lumber.* Petition of R. Ferguson, and others, for an Act to punish persons maliciously injuring Lumber, 237.
- Lunatics.* Bill to authorize the sale or mortgage of the Estates of persons found lunatic by inquisition in this Province, the granting of leases of the same, and the conveyance of Estates held in trust by Lunatics or Idiots, 243, 250, 264, 266, 270, 291. *Passed.*
- M'LEAN, JOHN.* Petition, received, 229.
- M'Nally, Michael.* Petition, received, 246.
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- M'Sweeney, Rev. Michael.* Petition, received, 235.
- Malicious Injuries.* See *Criminal Justice.*
- Marriage.* Bill to extend the privilege of solemnizing marriage to all the Ministers or Teachers of the several Religious Congregations in the Province, 263, 265, 270, 276, 291. *Passed.*
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- Marler, Thomas P.* Petition, received, 222.
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- 2. Petition of Nathaniel and John Dogget for an alteration of the time of training on Grand Manan, received, 223.
- 3. Bill to amend the laws for the organization and regulation of the Militia, 249, 250.
- 4. Bill to exempt persons employed in the deep sea fishing from the performance of Militia duty, 253, 260.
- 5. Bill to alter and amend the Act of 6 G. 4. c. 18, repealing all the laws in force for the organization and regulation of the Militia, and making further provision, 262, 264, 265.
- Millar, James.* Petition, received, 224.
- Miller, John.* Petition, received, 243.
- NEW BRUNSWICK FIRE INSURANCE COMPANY.** Petition of the President and Directors, received, 237.
- Nightly Watch.* Bill to provide for the support of a Nightly Watch in, and for lighting the City of Saint John, and for other purposes, 256, 257, 260, 291. *Passed.*
- PARISHES.** Bill to divide the Parishes of Burton and Lincoln, in the County of Sunbury, into three Parishes, 221, 225, 226, 243.
- 2. Bill to divide the Parish of Hopewell in Westmorland, into two Parishes, 224, 226, 231.
- 3. Bill to erect a new Parish in the County of Sunbury, 267, 270, 277, 291. *Passed.*
- Partelow, John R.* Petition, received, 279.
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- Patents.* Bill granting Patents for useful Inventions, 245, 247, 254, 291. *Passed.*
- Pedlars.* Bill to revive the Act of 9 and 10 G. 4, c. 27, to prevent Pedlars travelling and selling within this Province without Licence, 218, 225, 232, 235, 238, 290. *Passed.*
- Pendlebury John.* Petition, received, 227.
- Perley, Charles and others.* Petition, received, 221.
- Polley, David.* Petition as Agent for Eber Sweet, received, 270.
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- QUACO LEDGE.** Petition of N. Merritt and others, for a Light, Buoy, or other Mark to be placed on, received, 230.
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- Real Estates.** Bill in amendment of the Act of 26 G. 3, c. 12, subjecting real estates to the payment of debts and directing the Sheriff in his proceedings thereon, 229, *ib.* 232, 238, 240, 248, 290. *Passed.*
- Refugees.** Petition of the Justices of the Peace of the City and County of St. John to be reimbursed for expenditure in supporting Black Refugees, received, 212.
- Register's Offices.** Message from the Lt. Governor recommending the erection of suitable buildings for the Offices of the Registers of Deeds and Wills, 216.
- 2. See *County Records.*
- Representation.** Bill to increase the representation of the Counties of Carleton, Gloucester and Kent, 259, 260, 263, 291. *Passed.*
- Replevin.** Bill in addition to and in amendment of the Act of 30 G. 3, c. 21, regulating proceedings in Actions of Replevin, &c. 225, 227, 262, 264, 268, 291. *Passed.*
- Reynolds, James.** Petition, received, 227.
- Revenue.** Petition that a duty be imposed on imported Foreign and Colonial Manufactured Leather, received, 224.
- 2. Petition to impose a duty on Ship Bread, received, 228.
- 3. Petition from sundry Inhabitants of St. John against the imposition of duty on British goods, received, 236.
- 4. Bill to continue and amend the Act of 3 W. 4, c. 1, for raising a Revenue and for the increase of the Revenue of the Province, 279, 284, 285, 289. *Passed.*
- 5. Resolution of Council on concurring in this Bill, 285.
- 6. See *Appropriation of the Public Revenue.*
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- Road between Connick's and Whittier's on Great Road from Fredericton to St. Andrews, 225.
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- Bridge over Kennebeckasis River, 230.
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- 2. Petition of Inhabitants of Sussex Vale for a new Post road, 227.
- 3. Petition for money for exploring road from Sussex Vale to St. John by the way of Lake Lomond, received, 237.
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- 4. Petition for an exploration of a new line of road between Bathurst and Campbelltown, in the County of Gloucester, 237.
- 5. Petition of G. Brown and others, that the road by the way of Lake Lomond be adopted as the main Post Road to Nova Scotia, received, 236.
- 6. Petition of John Ward and others, for the like purpose, received, 237.
- 7. See *Appropriation of the Public Revenue No. 4.*
- Robinson, Beverly.** Petition, received, 227.
- Ross, James.** Petition, received, 228.
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- SAINTE JOHN MILLS AND CANAL COMPANY.**
- Petition of W. Walker and others for an Act of Incorporation to open Canals across the necks of land at the falls of the River St. John, received, 227.
- 2. Bill for the Incorporation of the Saint John Mills and Canal Company, 254, *ib.* 262, 264, 267, 291. *Passed.*
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- Savings Bank.** Petition of the Trustees of the Savings Bank in St. John, received, 236.
- Schools.** Petition of Inhabitants of Portland to be enabled to erect a School House, &c. received, 227.
- Seaman, Amos.** Petition, received, 237.
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- Seaton, John.** Petition, received, 227.
- Sewers.** Bill to amend the Act of 10 and 11 G. 4, c. 29, repealing certain Acts relating to Commissioners of Sewers, and making more effectual provisions in lieu thereof, 240, 243, 244, 246, 290. *Passed.*
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